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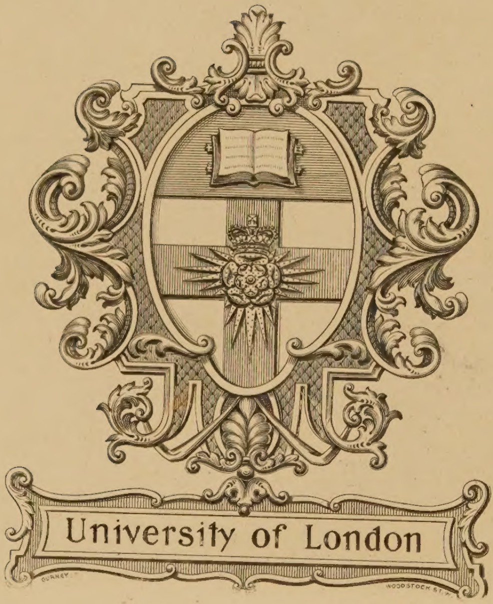
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# HANSARD'S
# PARLIAMENTARY DEBATES,

## THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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## 44° VICTORIÆ, 1881.

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## VOL. CCLXI.

COMPRISING THE PERIOD FROM

THE NINTH DAY OF MAY 1881,

TO

THE SECOND DAY OF JUNE 1881.

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*Fifth Volume of the Session.*

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*Moved,* "That the Chairman do now leave the Chair,"—(*Mr. Labouchere:*)—After short debate, Question put:—The Committee *divided;* Ayes 54, Noes 380; Majority 326.

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And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing to consider any just measure, founded upon sound principles, that will benefit tenants of land in Ireland, is of opinion that the leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic,"—(*Lord Elcho,*)—instead thereof.

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Main Question again proposed:—After short debate, Motion, by leave, *withdrawn:*—Debate on Question [2nd May], "That Mr. Speaker do now leave the Chair," *further adjourned* till *To-morrow.*

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Main Question put, and *agreed to*.

*Ordered*, That the said Standing Order (Local Authorities to have a locus standi against Gas and Water Bills) be a Standing Order of this House.

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*Moved*, "That this House do now adjourn,"—(*Mr. Lalor*:)—After short debate, Motion, by leave, *withdrawn*.

PARLIAMENTARY OATH (MR. BRADLAUGH)—NOTICE OF MOTION (SIR WILFRID LAWSON)—
*Moved*, "That this House do now adjourn,"—(*Mr. Labouchere*) .. 414
After debate, Motion, by leave, *withdrawn*.

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

MINISTER OF AGRICULTURE AND COMMERCE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that the functions of the Executive Government which especially relate to Agriculture and Commerce should, as far as possible, be administered by a distinct department, and be presided over by a responsible Minister of the Crown,"—(*Sir Massey Lopes,*)—instead thereof .. .. .. 438

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put, and *negatived:*—Words *added.*

Main Question, as amended, put, and *agreed to:*—Committee upon *Monday* next.

WAYS AND MEANS—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

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**Bills of Sale Act (1878) Amendment** (*re-committed*) **Bill** [Bill 104]—

*Moved,* "That the Bill be referred to a Select Committee, and that the Order for Committee be read and discharged,"—(*Mr. Monk*) .. 502

Motion *agreed to:*—Order for Committee read, and *discharged:*—Bill *referred* to a Select Committee.

**Newspapers (Law of Libel) Bill** [Bill 5]—

Bill *considered* in Committee .. .. .. .. 503

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**Settled Land Bill** [*Lords*] [Bill 95]—

Order for Second Reading read .. .. .. 512

[House counted out.]

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ARMY ORGANIZATION—TERRITORIAL TITLES OF REGIMENTS—MOTION FOR AN ADDRESS—

*Moved*, That an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to cause a re-consideration of the proposal to efface the present numerical and other distinctions in regiments of the line and militia by the substitution of novel (so-called) "territorial" titles, inasmuch as this proposed substitution is known to be viewed as subversive of *esprit de corps*, and is in consequence most distasteful to the officers, non-commissioned officers, and privates generally, whilst it has not the advantage of increasing the Army by a single additional trained or untrained soldier; the proposed re-organization being moreover practically but a fuller development of the present twin (or linked) battalion system which the Report of Lord Airey's Committee has already proved to have been attended with the most disastrous results,—(*The Earl of Galloway*) .. .. 518

After debate, Motion (by leave of the House) *withdrawn*.

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STATE OF IRELAND—INFLAMMATORY PLACARDS—THE IRISH CONSTABULARY—Questions, Mr. Healy, Mr. O'Donnell, Mr. Alderman W. Lawrence; Answers, Mr. W. E. Forster, Mr. Speaker .. .. 547

*Moved*, "That this House do now adjourn,"—(*Mr. Healy*:)—After short debate, Motion, by leave, *withdrawn*.

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**Land Law (Ireland) Bill** [Bill 135]—Second Reading. Adjourned Debate [Seventh Night]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th April], "That the Bill be now read a second time:"—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* .. .. 585

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Chaplin:*)—Motion *agreed to:*—Debate *further adjourned* till *Thursday.*

**Local Courts of Bankruptcy (Ireland) Bill** [*Lords*] [Bill 164]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Attorney General for Ireland*) .. .. .. .. 661

*Moved*, "That the Debate be now adjourned,"—(*Mr. Gorst:*)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—*Moved*, "That the Debate be now adjourned,"—(*Mr. Patrick Martin:*)—After short debate, Question put:—The House *divided;* Ayes 9, Noes 57; Majority 48.—(Div. List, No. 203.)

Original Question put, and *agreed to:*—Bill read a second time.

*Moved*, "That the Bill be committed to a Select Committee,"—(*Mr. Attorney General for Ireland:*)—Question put, and *agreed to:*—Bill *committed* to a Select Committee.

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After short time spent therein, Committee report Progress; to sit again upon *Wednesday.*

WAYS AND MEANS—
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## *MOTION.*

**Church Patronage (No. 2) Bill**—
*Moved,* "That leave be given to bring in a Bill to amend the Laws relating to patronage, simony, and exchange of Benefices in the Church of England,"—(*Mr. E. Stanhope*) .. .. .. .. .. 670
After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Tillett.*) [House counted out.]

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ARMY (THANKS OF PARLIAMENT)—MOTION FOR A RETURN—
*Moved* for, A "Return of the officers of the Army who have received the thanks of Parliament by name from 1813; showing the date at which and the rank in which they would have been retired from the Army under the proposed rule of five years' non-employment, and the appointments they may have held subsequent to that date; how many officers of distinction would have been excluded from employment by the proposed five years' regulation, and the nation thus deprived of their services,"—(*The Earl of Powis*) .. .. .. ... .. 675
After short debate, Motion *agreed to.*

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*Moved*, "That this House do now adjourn,"—(*Mr. Lalor*:)—Question put:—The House *divided;* Ayes 23, Noes 317; Majority 294.—(Div. List, No. 204.)

CENTRAL ASIA — THE PAPERS — Question, Mr. Northcote; Answer, Sir Charles W. Dilke .. .. .. .. 690

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PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARRESTS UNDER THE ACT—THE CASE OF MR. DILLON—Question, Mr. J. Cowen; Observations, Mr. T. P. O'Connor; Question, Mr. Parnell; Answers, Mr. Speaker .. .. .. .. .. 692

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## MOTIONS.

PARLIAMENT—BUSINESS OF THE HOUSE—RESOLUTIONS—

*Moved*, "That Debate on a Bill shall be confined to the following occasions: Second Reading; Committee; Consideration of Report; Third Reading,"—(*Mr. Dillwyn*) .. 695

*Moved*, "That the Debate be now adjourned,"—(*Mr. Rylands*:)—After short debate, Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

NATIONAL EXPENDITURE—RESOLUTION—

*Moved*, "That, in the opinion of this House, the recent increase in the National Expenditure demands the earnest and immediate attention of Her Majesty's Government with the view of effecting such reductions as may be consistent with the efficiency of the Public Service,"—(*Mr. Henry H. Fowler*) .. .. 710

[House counted out.]

## COMMONS, WEDNESDAY, MAY 18.

## ORDER OF THE DAY.

**Free Education (Scotland) Bill** [Bill 6]—

*Moved*, "That the Bill be now read a second time,"—(*Dr. Cameron*) .. 717

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Colonel Barne.*)

Question proposed, "That the word 'now' stand part of the Question:" —After long debate, Question put, and *negatived:*—Words *added.*

Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

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## *MOTIONS.*

**Local Government (Ireland) Provisional Orders (Ballymena, &c.) Bill**—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 173] .. .. .. 780

**Imprisonment for Debt Abolition Bill**—*Ordered* (*Mr. Bass, Mr. Anderson, Sir Henry Wolff, Mr. Broadhurst*); *presented*, and read the first time [Bill 170] .. 781

**Industrial and Reformatory Schools (Ireland) (Loans) Bill**—*Ordered* (*Colonel Colthurst, Mr. Martin, Mr. O'Shaughnessy, Mr. Shaw*); *presented*, and read the first time [Bill 172] .. .. .. .. .. 781

**Erne Lough and River Bill**—*Ordered* (*Mr. John Holms, Lord Frederick Cavendish*); *presented*, and read the first time [Bill 171] .. .. .. 781

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**Tramways (Ireland) Acts Amendment Bill** (No. 74)—
House in Committee (according to Order) .. .. .. 783
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## *ORDER OF THE DAY.*

**Land Law (Ireland) Bill** [Bill 135]—Second Reading. Adjourned Debate. [Eighth Night]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th April], "That the Bill be now read a second time:"—Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* .. .. 827

After long debate, Question put:—The House *divided;* Ayes 352, Noes 176; Majority 176.

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Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Thursday* next.

---

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Tunis (International Engagements)—Questions, Mr. Mac Iver, Sir H. Drummond Wolff; Answers, Sir Charles W. Dilke .. .. 950
*Moved,* "That this House do now adjourn,"—(*Mr. Mac Iver:*)—After short debate, Question put, and *negatived.*

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Peace Preservation (Ireland) Act, 1881—Arrests of Rev. Father Sheehy and Others—Question, Mr. O'Sullivan; Answer, Mr. W. E. Forster .. .. .. .. .. 963

*Moved*, "That this House do now adjourn,"—(*Mr. O'Sullivan* :)—After long debate, Question put:—The House *divided;* Ayes 32, Noes 130; Majority 98.—(Div. List, No. 206.)

## *ORDERS OF THE DAY.*

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Intoxicating Liquors on Saturday (Ireland)—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the many and serious evils arising from drunkenness on Saturday nights in Ireland, and having regard to the evidence given before the Select Committees of 1868 and 1877, and the recommendation of the Lords Report on Intemperance of 1878, this House is of opinion that the hours during which intoxicating liquors may be sold on Saturdays in the large cities and towns having a population exceeding 10,000 should be materially and immediately shortened," —(*Mr. Meldon*,)—instead thereof .. .. .. .. 1004

Question proposed, "That the words proposed to be left out stand part of the Question:"— After debate, Question put:—The House *divided;* Ayes 49, Noes 33; Majority 16.—(Div. List, No. 207.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"— Motion, by leave, *withdrawn*:—Supply Committee upon *Monday* next.

**Infectious Diseases Notification (Ireland) Bill** [Bill 40]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Edmond Gray*) .. .. .. 1029

After short debate, [House counted out.]

## LORDS, MONDAY, MAY 23.

**Fugitive Offenders Bill**—

Bill to amend the Law with respect to Fugitive Offenders in Her Majesty's Dominions; and for other purposes connected with the trial of offenders—*Presented* (*The Lord Chancellor*); read 1ª (No. 91) .. 1032

Irish Jury Laws—Motion for a Select Committee—

*Moved*, "That a Select Committee be appointed to inquire into the operation of the Irish jury laws as regards trial by jury in criminal cases,"—(*The Marquess of Lansdowne*) .. 1033

After short debate, on question, *agreed to.*

## COMMONS, MONDAY, MAY 23.

## *QUESTIONS.*

Constitution of the Board of Trade—Question, Mr. Gourley; Answer, Mr. Chamberlain .. .. .. .. 1049

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STATE OF IRELAND—DISTURBANCES IN THE COUNTY OF LIMERICK—Question, Mr. T. D. Sullivan; [No reply] .. .. .. 1083

## *ORDERS OF THE DAY.*

**Customs and Inland Revenue Bill** [Bill 136]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) .. .. 1084

LOCAL TAXATION—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the annual consideration of the measures imposing taxation should be accompanied by a Ministerial Statement of Local Taxation and Finance, so as to afford the House an opportunity of reviewing, as a whole, the requisitions made on the Nation for local as well as Imperial purposes,"—(*Mr. Pell*,)—instead thereof .. .. .. .. .. 1084

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to*.

TRADE AND COMMERCE—RECIPROCITY—Observations, Mr. Mac Iver:—Short debate thereon .. .. .. .. 1101

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Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.

After long time spent therein, Committee report Progress; to sit again upon *Thursday*.

**Land Tax Commissioners' Names Bill** [Bill 126]—

Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. J. Holms*) .. .. .. 1170

*Moved*, "That the Debate be now adjourned,"—(*Mr. Healy* :)—After short debate, Question put :—The House *divided ;* Ayes 11, Noes 80; Majority 69.—(Div. List, No. 209.)

Original Question put :—The House *divided ;* Ayes 79, Noe 1; Majority 78.—(Div. List, No. 210.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to* :—Bill *considered* in Committee.

After short time spent therein, Bill *reported*, without Amendment; to be read the third time *To-morrow*, at Two of the clock.

## *MOTIONS.*

Irish Executive—Motion of Censure—

*Moved*, "That, in the opinion of this House, the action of the Irish Executive in arbitrarily arresting a Member of the House without reasonable ground; in proclaiming a state of siege in Dublin; in imprisoning the Rev. Mr. Sheehy and many other men of high character and good conduct; and in affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions is an abuse of the exceptional powers conferred by Parliament; and is calculated to promote disaffection in Ireland,"—(*Mr. Justin M'Carthy*) .. .. .. 1174

*Moved*, "That the Debate be now adjourned,"—(*Mr. O'Donnell* :)—Motion *agreed to* :—Debate *adjourned* till *To-morrow*, at Two of the clock.

**Board Schools (Scotland) Teachers Bill**—*Ordered* (*Sir Herbert Maxwell, Mr. Orr Ewing*) .. .. .. .. .. 1182

[House counted out.]

## LORDS, TUESDAY, MAY 24.

Turkey and Greece—The Convention—Question, The Earl of Rosebery; Answer, Earl Granville .. .. .. .. 1183

**Charitable Trusts Acts Amendment Bill** (No. 59)—

House in Committee (according to Order) .. .. .. 1183

Amendments made; Bill to be *printed*, as amended. (No. 96.)

## COMMONS, TUESDAY, MAY 24.

## *QUESTIONS.*

Trade and Commerce—Reports of Secretaries of Legation and Consuls—Question, Mr. R. H. Paget; Answer, Sir Charles W. Dilke .. 1201

Game Act—Dealing in Game—Question, Mr. P. A. Taylor; Answer, Sir William Harcourt .. .. .. .. 1202

Customs Department—Redundant Officers—Question, Mr. Healy; Answer, Lord Frederick Cavendish .. .. .. 1202

Natural History Museum, South Kensington—Question, Mr. Firth; Answer, Mr. Spencer Walpole .. .. .. 1203

State of Ireland—"Slave Driving" in Galway—Question, Mr. T. P. O'Connor; Answer, Mr. W. E. Forster .. .. .. 1204

Italy—Occupation of Tripoli—Question, Mr. Arthur Arnold; Answer, Sir Charles W. Dilke .. .. .. .. 1205

France—Affairs of Tunis—Questions, The Earl of Bective, Mr. Montague Guest; Answers, Sir Charles W. Dilke .. .. 1206

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PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARREST OF MR. BRENNAN—Questions, Mr. Sexton, Lord Randolph Churchill; Answers, Mr. W. E. Forster .. .. .. .. 1210

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PARLIAMENT—BUSINESS OF THE HOUSE—Question, Sir Stafford Northcote; Answer, Mr. Gladstone .. .. .. .. 1211

CYPRUS—THE HARBOUR OF FAMAGUSTA—PURCHASE OF THE ISLAND—Questions, Sir William Palliser, Mr. Bourke; Answers, Mr. Gladstone 1212

DEATH OF THE RIGHT HON. WILLIAM PATRICK ADAM—Question, Mr. Onslow; Answer, Mr. Gladstone; Observations, Sir Stafford Northcote 1213

## *ORDER OF THE DAY.*

IRISH EXECUTIVE—MOTION OF CENSURE—

Order read, for resuming Adjourned Debate on Question [23rd May]:—Question again proposed:—Debate *resumed* .. .. 1214

After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. O'Sullivan*:)—After further short debate, it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

House suspended its Sitting at seven minutes to Seven of the clock.

---

House resumed its Sitting at Nine of the clock.

## *MOTION.*

CROWN LANDS (WALES)—Motion for a Select Committee, Mr. Pugh .. 1262
[House counted out.]

## COMMONS, WEDNESDAY, MAY 25.

## *MOTION.*

COMMITTEES (ASCENSION DAY)—THE "COUNT-OUT" ON TUESDAY—

*Moved,* "That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House,"—(*Mr. Secretary Childers*) .. .. .. 1263

After short debate, Question put:—The House *divided;* Ayes 58, Noes 41; Majority 17.—(Div. List, No. 213.)

## *ORDERS OF THE DAY.*

**Removal Terms (Scotland) Bill** [Bill 8]—
*Moved,* "That the Bill be now read a second time,"—(*Mr. James Stewart*) .. .. .. .. .. 1270
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

**Tithe (Extraordinary Charge) Bill** [Bill 29]—
*Moved,* "That the Order for the Second Reading of the Bill be discharged,"—(*Mr. Inderwick*) .. .. .. 1277
Motion *agreed to*:—Order *discharged*:—Bill *withdrawn.*

**Agricultural Holdings (Warnings to Remove) (Scotland) Bill** [Bill 51]—
Order for Second Reading read .. .. .. 1278
After short debate, Second Reading *deferred* till *Wednesday* 20th July.

**Lunacy Law Amendment Bill** [Bill 56]—
*Moved,* "That the Bill be now read a second time,"—(*Mr. Dillwyn*) .. 1278
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

**London City (Parochial Charities) Bill** [Bill 13]—
*Moved,* "That the Bill be now read a second time,"—(*Mr. Bryce*) .. 1291
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Robert Fowler.*)
Question proposed, "That the word 'now' stand part of the Question:" —After short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

**Solway Fisheries (Scotland) Bill** [Bill 141]—
*Moved,* "That the Order for the Second Reading of the Bill be discharged,"—(*Mr. Ernest Noel*) .. .. .. 1302
Motion *agreed to*:—Order *discharged*:—Bill *withdrawn.*

## *MOTIONS.*

**Parliamentary Elections and Corrupt Practices (Consolidation) Bill**—*Ordered* (*Mr. Hardcastle, Sir Alexander Gordon*); *presented,* and read the first time [Bill 176] 1303
**Freshwater Fisheries Act (1878) Amendment Bill**—*Ordered* (*Mr. Stuart-Wortley, Mr. Dodds*); *presented,* and read the first time [Bill 177] .. .. 1303
**Maintenance Law Amendment Bill**—Select Committee *nominated*:—List of the Committee .. .. .. .. .. 1303
**Bills of Sale Act (1878) Amendment Bill**—Select Committee *nominated*:—List of the Committee .. .. .. .. .. 1303

## COMMONS, THURSDAY, MAY 26.

## *QUESTIONS.*

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## *ORDERS OF THE DAY.*

**Customs and Inland Revenue Bill** [Bill 136]—
Bill *considered* in Committee [*Progress 23rd May*] .. .. 1336
After long time spent therein, Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

**Land Law (Ireland) Bill** [Bill 135]—COMMITTEE. [FIRST NIGHT]—
Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Gladstone*) .. .. .. 1369
After debate, Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to:*—Bill *considered* in Committee .. .. 1406
After short time spent therein, Committee report Progress; to sit again *To-morrow,* at Two of the clock.

**Alkali, &c. Works Regulation Bill** [*Lords*] [Bill 119]—
Bill *considered* in Committee [*Progress 2nd May*] .. .. 1412
After short time spent therein, Committee report Progress; to sit again *To-morrow.*

**Petty Sessions Clerks (Ireland) Bill** [Bill 41]—
Bill *considered* in Committee [*Progress 16th May*] .. .. 1425
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

---

**Summary Jurisdiction (Process) Bill**—*Ordered* (*Mr. Marjoribanks, Colonel Home, Sir Matthew Ridley, Mr. Arthur Elliot*); *presented,* and read the first time [Bill 179] 1428

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**Married Women's Property (Scotland) Bill** (No. 75)—
*Moved*, "That the Bill be now read 2$^a$,"—(*The Lord Chancellor*) .. 1438
After short debate, Motion *agreed to*:—Bill read 2$^a$ accordingly, and *committed* to a Committee of the Whole House on the *first sitting day after the recess at Whitsuntide.*

AFFAIRS OF TUNIS—Observations, Earl De La Warr, Lord Stanley of Alderley; Reply, Earl Granville; Observations, The Marquess of Salisbury .. .. .. .. .. 1440

IRISH JURY LAWS—MOTION FOR A SELECT COMMITTEE—
The order made on Monday last for the appointment of a Select Committee *discharged.*
*Moved*, "That a Select Committee be appointed to inquire into the operation of the Irish Jury Laws,"—(*The Marquess of Lansdowne.*)
Motion *agreed to.*
And, on May 30, Committee *nominated*:—List of the Committee .. 1450

## COMMONS, FRIDAY, MAY 27.

### *QUESTIONS.*

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ARMY—SICK LEAVE—CAPTAIN BUTLER—Question, Mr. M'Coan; Answer, Mr. Childers .. .. .. .. .. 1452
WESTERN AUSTRALIA — UNCONSTITUTIONAL EXPENDITURE — Question, Sir Walter B. Barttelot; Answer, Mr. Grant Duff .. .. 1453
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SOUTH AFRICA—THE TRANSVAAL—PRESENT STATE OF AFFAIRS—Questions, Sir Michael Hicks-Beach, Mr. Ashmead-Bartlett, Mr. Gorst; Answers, Mr. Grant Duff. .. .. .. .. 1455
EAST COAST OF AFRICA—SUBSIDIZED MAIL CONTRACTS — Question, Mr. Whalley; Answer, Lord Frederick Cavendish .. .. 1458
IRISH EXECUTIVE—Question, Mr. Rylands; Answer, Mr. Justin M'Carthy; Observations, Mr. Gladstone, Mr. T. P. O'Connor .. .. 1459
PARLIAMENT—PUBLIC BUSINESS—THE DERBY DAY—Question, Sir George Campbell; Answer, Mr. Speaker .. .. .. 1460
PARLIAMENT—PUBLIC BUSINESS—SUPPLY—VOTE ON ACCOUNT—Question, Mr. Healy; Answer, Mr. Gladstone:—Short debate thereon .. 1460

### *ORDERS OF THE DAY.*

**Customs and Inland Revenue Bill** [Bill 136]—
Bill, as amended, *considered* .. .. .. .. 1461
After short debate, Bill to be read the third time upon *Monday* next.

**Land Law (Ireland) Bill** [Bill 135]—

Bill *considered* in Committee [*Progress* 26*th May*] [SECOND NIGHT] .. 1464

After long time spent therein, Committee report Progress; to sit again upon *Monday* next.

It being ten minutes to Seven of the clock, the House suspended its Sitting.

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The House resumed its Sitting at Nine of the clock.

## *ORDER OF THE DAY.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

REPRESENTATION OF THE PEOPLE (ELECTION SYSTEMS)—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into and report upon the system of election of Members of this House best calculated to secure the just and complete representation of the whole electoral body,"—(*Mr. Blennerhassett,*)—instead thereof .. .. .. .. .. 1524

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 102, Noes 40; Majority 62.—(Div. List, No. 217.)

**Main** Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE ROYAL IRISH CONSTABULARY—THE CONFIDENTIAL CIRCULAR TO COUNTY INSPECTORS—Observations, Mr. Callan, Mr. T. P. O'Connor; Reply, Mr. Gladstone .. .. .. .. 1535

IRISH FISHERIES—Observations, Lord Randolph Churchill; Reply, Lord Frederick Cavendish:—Short debate thereon .. .. 1536

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—ARMY ESTIMATES—

(In the Committee.)

Motion made, and Question proposed, "That a sum, not exceeding £3,411,000, be granted to Her Majesty, to defray the Charge for Provisions, Forage, Fuel, Transport, and other Services, which will come in course of payment during the year ending on the 31st day of March 1882" .. .. .. 1550

*Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Arthur O'Connor:*)—After short debate, Question put:—The Committee *divided;* Ayes 7, Noes 73; Majority 66.—(Div. List, No. 218.)

Original Question again proposed:—*Moved,* "That the Chairman do now leave the Chair,"—(*General Burnaby:*)—After short debate, Question put:—The Committee *divided;* Ayes 6, Noes 65; Majority 59.—(Div. List, No. 219.)

Original Question again proposed:—*Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Biggar:*)—After further short debate, Question put:—The Committee *divided;* Ayes 7, Noes 57; Majority 50.—(Div. List, No. 220.)

Original Question again proposed:—After short debate, *Moved,* "That the Chairman do now leave the Chair,"—(*Mr. Leamy:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—After short debate, Original Question put, and *agreed to.*

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

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**Lord Lieutenants of Counties (Ireland) Bill**—*Ordered* (*Mr. Litton, Mr. Findlater, Mr. James Dickson, Mr. Lea*); *presented,* and read the first time [Bill 180] ..1585

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Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

Ordered, That Standing Orders Nos. 72. and 82. be suspended for the remainder of the Session,—(*The Earl of Redesdale.*)

Reformatory Education—Resolutions—

*Moved* to resolve—

"1. That it is desirable to consolidate the several laws relating to reformatory and industrial education of children who have been convicted of crime or are, without any competent guardianship, in criminal ways of life;

"2. That punishment for crime should be a treatment separate from general education; and

"3. That all publicly aided schools should be under the Education Department,"—(*The Lord Norton*) .. .. .. .. .. 1586

After short debate, Motion (by leave of the House) *withdrawn.*

Law Relating to the Protection of Young Girls—Motion for a Select Committee—

*Moved*, "That a Select Committee be appointed to inquire into the state of the law relative to the protection of young girls from artifices to induce them to lead a corrupt life, and into the means of amending the same,"—(*The Earl of Dalhousie*) .. 1603

After short debate, on Question, *agreed to.*

And, on June 14, Committee *nominated* :—List of the Committee .. 1613

Jury Laws (Ireland)—Nomination of Select Committee—

Observations, Lord Denman .. .. .. .. 1613

**Summary Procedure (Scotland) Act Amendment Bill** [H.L.]—*Presented* (*The Earl of Dalhousie*); read 1ª (No. 99) .. .. .. 1613

**Customs and Inland Revenue Bill**—

Brought from the Commons; read 1ª; to be read 2ª *To-morrow;* and Standing Order No. XXXV. to be considered in order to its being dispensed with,—(*The Lord Thurlow.*) (No. 98.)

## COMMONS, MONDAY, MAY 30.

## *PRIVATE BUSINESS.*

*Great North of Scotland Railway Bill* (*by Order*)—

*Moved*, "That the Bill, as amended, be now considered" .. .. 1614

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "pending the inquiry into Railway Rates and Charges by the Select Committee of this House, the Consideration of the Bill be postponed,"—(*Mr. James Howard,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 175, Noes 127; Majority 48.—(Div. List, No. 221.)

Main Question put, and *agreed to*:—Bill *considered.*

Bill to be read the third time.

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Railway Fares—The Racing Meetings—Question, Mr. Labouchere; Answer, Mr. Chamberlain .. .. .. .. 1642

Criminal Law (Ireland)—Committals to County Limerick Gaol—Question, Mr. Synan; Answer, The Attorney General for Ireland .. 1642

Post Office—Memorial of Metropolitan Letter-Carriers—Question, Mr. Schreiber; Answer, Mr. Fawcett .. .. .. 1643

Tunis—Search of British Ships in Tunisian Waters—Question, Mr. H. R. Brand; Answer, Sir Charles W. Dilke .. .. 1643

Army Organization — Field Officers' Allowances—Questions, Lieutenant-Colonel Milne Home; Answers, Mr. Childers .. .. 1644

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Law and Police—Alleged Sale of a Wife—Questions, Mr. T. D. Sullivan, Mr. Callan; Answers, Sir William Harcourt.. .. 1646

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Census (Ireland)—Misapplication of Enumeration Papers—Questions, Mr. Healy, Mr. Callan; Answers, The Attorney General for Ireland .. 1648

Western Islands of the Pacific—The Solomon Islands—Murders and Outrages by the Natives—Operations of H.M.S. "Emerald"—Question, Mr. Alexander M'Arthur; Answer, Mr. Trevelyan .. 1650

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India—Grant to General Sir Frederick Roberts—Questions, Sir H. Drummond Wolff; Answers, The Marquess of Hartington .. 1651

State of Ireland—Disturbances at Quinlan's Castle, New Pallas, Co. Limerick—Question, Mr. Tottenham; Answer, The Attorney General for Ireland .. .. .. .. 1652

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## *MOTION.*

PARLIAMENT—PRIVILEGE (MR. P. EGAN)—

*Moved*, "That the Letter published in the 'Freeman's Journal' of the 26th May, signed Patrick Egan, is a breach of the Privileges of this House,"—(*Mr. Mitchell Henry*) .. 1667

After short debate, Question put, and *agreed to*.

*Moved*, "That this House do now adjourn,"—(*Mr. Parnell:*)—After debate, Motion, by leave, *withdrawn*.

## *ORDERS OF THE DAY.*

**Land Law (Ireland) Bill** [Bill 135]—

Bill *considered* in Committee [*Progress 27th May.*] [THIRD NIGHT] .. 1695

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

SUPPLY—*considered* in Committee—Civil Services and Revenue Departments—Further Vote on Account.

(In the Committee.)

Motion made, and Question proposed, "That a further sum, not exceeding £2,541,300, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1882, viz.:—[Then the several Services set forth] .. 1737

*Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir H. Drummond Wolff*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed .. .. .. .. 1750

Motion made, and Question proposed, "That a further sum, not exceeding £2,321,300, be granted, &c.,"—(*Mr. Parnell*:)—After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. T. P. O'Connor*:)—After further short debate, Motion, by leave, *withdrawn.*

Question put:—The Committee *divided;* Ayes 18, Noes 185; Majority 167.—(Div. List, No. 222.)

Resolution to be reported *To-morrow*, at Two of the clock:—Committee to sit again upon *Wednesday*.

Supply—Report—Resolution [27th May] *reported* .. .. 1759

Resolution read a second time:—*Moved,* "That this House doth agree with the Committee in the said Resolution."

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the said Resolution be recommitted,"—(*Mr. Arthur O'Connor,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

Main Question put, and *agreed to*:—Resolution *agreed to.*

Land Law (Ireland) [Payment of Indemnity, Advances, Salaries, Expenses, &c.]—

*Considered* in Committee .. .. .. .. 1761

Resolution *agreed to;* to be reported *To-morrow*, at Two of the clock.

## LORDS, TUESDAY, MAY 31.

**Veterinary Surgeons Bill** (No. 87)—

*Moved,* "That the Bill be now read 2ª,"—(*The Lord Aberdare*) .. 1762

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 16*th of June* next.

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Army Organization—Militia and Line Battalions—Questions, Observations, The Earl of Galloway; Reply, The Earl of Morley:—Short debate thereon .. .. .. .. 1770

**Customs and Inland Revenue Bill**—Read 2ª (according to order); Committee *negatived*: Then Standing Order No. XXXV. *considered* (according to order), and *dispensed with*: Bill read 3ª, and *passed.*

Stationery Office (Controller's Report)—

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And, on June 2, Committee *nominated*:—List of the Committee .. .. 1774

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PARLIAMENT—PUBLIC BUSINESS—THE DERBY DAY—

*Moved,* "That this House, at its rising, do adjourn until Thursday,"—(*Mr. Richard Power*) .. .. .. .. 1783

After short debate, Question put:—The House *divided;* Ayes 246, Noes 119; Majority 127.—(Div. List, No. 223.)

## *ORDER OF THE DAY.*

**Land Law (Ireland) Bill** [Bill 135]—

Bill *considered* in Committee [*Progress 30th May*] [FOURTH NIGHT] .. 1794

After some time spent therein, Committee report Progress; to sit again upon *Thursday.*

And it being ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

## *MOTIONS.*

FISHING VESSELS' LIGHTS—REPORT OF THE SELECT COMMITTEE—RESOLUTION—

*Moved,* "That, in the opinion of this House, it is expedient that the recommendations of the Select Committee of last Session on Fishing Vessels' Lights be carried out in

FISHING VESSELS' LIGHTS—continued.
accordance with the Report of the Committee, so far as it affects trawlers' lights,"—(*Mr. Birkbeck*) .. .. .. .. .. 1830
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POTATO CROP COMMITTEE, 1880 (IRELAND)—RESOLUTION—
*Moved*, "That, in the opinion of this House, it is expedient that Her Majesty's Government should take steps to carry into effect such of the recommendations of the Potato Crop Committee of 1880 as relate to Ireland, by promoting the creation and establishment of new varieties of the Potato; by facilitating the progress of further experiments as the best means of lessening the spread of the Potato Disease; and by bringing within the reach of small farmers supplies of sound seed to be obtained for cash payments,"—(*Major Nolan*) .. .. .. .. 1841
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Crown Lands—The Stagsden Crown Estate—Questions, Mr. James Howard, Lord Elcho; Answers, Mr. Gladstone .. .. 1867

*Moved*, "That this House do now adjourn,"—(*Mr. James Howard*:)—After short debate, Motion, by leave, *withdrawn*.

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## *ORDERS OF THE DAY.*

**Land Law** (**Ireland**) **Bill** [Bill 135]—
Bill *considered* in Committee [*Progress* 31*st May*] [Fifth Night] .. 1889
After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

**Alkali, &c. Works Regulation Bill** [*Lords*] [Bill 119]—
Bill *considered* in Committee [*Progress* 26*th May*] .. .. 1966
After some time spent therein, Committee report Progress; to sit again upon *Monday* 13th June.

**Newspapers** (**Law of Libel**) **Bill** [Bill 5]—
Bill *considered* in Committee [*Progress* 13*th May*] .. .. 1978
After short time spent therein, Bill *reported;* as amended, to be considered upon *Thursday* next.

## *MOTIONS.*

**Poor Relief and Audit of Accounts** (**Scotland**) **Bill**—
Motion for Leave (*The Lord Advocate*) .. .. .. 1983
Motion *agreed to*:—Bill for the Amendment of the Laws relating to the Relief of the Poor, and for the establishment of an Audit of the Accounts of Parochial Boards and School Boards in Scotland, *ordered* (*The Lord Advocate, Mr. Solicitor General for Scotland*); *presented*, and read the first time. [Bill 182.]

**Court of Bankruptcy** (**Ireland**) (**Officers and Clerks**) **Bill**—
Motion for Leave (*The Attorney General for Ireland*) .. .. 1984
After short debate, Motion *put off.*

**Suspension of Evictions** (**Ireland**) **Bill**—
Motion for Leave (*Major Nolan*) .. .. .. 1984
After short debate, Motion *put off.*

The Member for Dungarvan (Suspension)—Resolution—
*Moved*, "That this House, having heard what passed in Committee on the 8th of March, and approving of the action taken by the Chairman of Ways and Means upon the facts then before him, accepts the explanation of the honourable Member for Dungarvan that it was not his desire or intention to disregard the authority of the Chair,"—(*Sir William Harcourt*) .. .. .. .. 1984
After short debate, Question put, and *agreed to.*

**Commons Regulation** (**Shenfield**) **Provisional Order Bill**—*Ordered* (*Mr. Courtney, Secretary Sir William Harcourt*) .. .. .. .. 1986

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Ways and Means—
*Considered* in Committee.

(In the Committee.)

*Resolved*, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1882, the sum of £5,952,300 be granted out of the Consolidated Fund of the United Kingdom.
Resolution to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*.

# LORDS.

## SAT FIRST.

FRIDAY, MAY 13.

The Lord Strathspey, after the death of his father.

TUESDAY, MAY 17.

The Lord Camoys, after the death of his grandfather.

# COMMONS.

## NEW WRIT ISSUED.

FRIDAY, MAY 13.

For *Preston*, *v.* Edward Hermon, esquire, deceased.

## NEW MEMBERS SWORN.

FRIDAY, MAY 20.

*Knaresborough*—Thomas Collins, esquire.

THURSDAY, MAY 26.

*Preston*—William Farrer Ecroyd, esquire.

# HANSARD'S
# PARLIAMENTARY DEBATES

IN THE
*SECOND SESSION* OF THE *TWENTY-SECOND PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 29 APRIL, 1880, IN THE FORTY-THIRD
YEAR OF THE REIGN OF

## HER MAJESTY QUEEN VICTORIA.

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### FIFTH VOLUME OF SESSION 1881.

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## HOUSE OF LORDS,

*Monday*, 9*th May*, 1881.

MINUTES.]—PUBLIC BILL—*First Reading*—Bridges (South Wales)* (83).

### THE LATE EARL OF BEACONSFIELD, K.G.

### ADDRESS TO HER MAJESTY.

EARL GRANVILLE: My Lords, I rise to move the Address of which I have given Notice, and which is as follows:—

> "That an humble Address be presented to Her Majesty praying that Her Majesty will give directions that a Monument be erected in the collegiate church of St. Peter, Westminster, to the memory of the late Right Honourable the Earl of Beaconsfield, K.G., with an inscription expressive of the high sense entertained by the House of his rare and splendid gifts, and of his devoted labours in Parliament and in great offices of State; and to assure Her Majesty that this House will concur in giving effect to Her Majesty's directions."

My Lords, very few arguments are required to induce your Lordships to agree to that Motion; and for this reason, and for some others, I shall confine my observations within narrow limits. This is not the time, and I am not the person, to give a biographical sketch of one so well known as Lord Beaconsfield, and it would still less become me to analyze, in any degree, his policy or his political actions. For me to give my approval of these would give a stamp of insincerity to my remarks, which would be displeasing to your Lordships, and which would not be creditable to myself. My Lords, our long experience of Constitutional Government has convinced nearly all Englishmen that Party Government is necessary for the good working of Representative Institutions, and that Party organization is needful in order to establish a strong and efficient Government under the Constitution. But, owing to the same experience, together with other favouring circumstances, there is no country where the relations of political opponents are more free from personal bitterness, none where the readiness is greater at the proper moment to drop Party feelings and exclusively to consider that which is for the national dignity. I believe it is for the dignity of the nation that from time to time, and on exceptional occasions, Parliament should recognize the public services of statesmen, not as a proof of universal approval of the particular policy which they may have pursued, for that would be impossible, but as an acknowledgment of unusual abilities devoted in eminent positions to the service of the State. My Lords, it is impossible for anyone to deny that Lord Beaconsfield played a great part in English history. No one can deny his rare and splendid gifts, and his great force of character. No one can deny how long and how continuous have been his services, both with regard to the Crown and Parliament. I doubt whether to many public men can the quality of genius be more fitly attributed. It was by his strong individuality, unaided by adventitious circumstances, that he owed his great personal success. My Lords, I myself, assisted by some of those social advantages which Mr. Disraeli was without, came into the House of Commons at an early age, and six months before he took his seat in that Assembly. I thus heard him make that speech famous for its failure, a speech which I am convinced, if it had been made when he was better known to the House of Commons, would have been received with cheers and sympathy, instead of derisive laughter; but which, owing to the prejudices of his audience, he was obliged to close with a sentence, which, like a somewhat similar ejaculation of Mr. Sheridan, showed the unconquerable confidence which strong men have in their own power. My Lords, the last time that Lord Beaconsfield spoke in this House a speech of an argumentative character was a few weeks ago. I think it was about 10 o'clock on the second evening of the debate on Afghanistan that Lord Beaconsfield sent me a message saying that he purposed speaking directly. I sent back a strong remonstrance. Two noble Lords who formerly held Office, and a third with remarkable power of speaking, wished to take part in the debate. Lord Beaconsfield, however, persisted, and I thought I was justified in making a rather strong complaint of his having done so. I have since learned with regret that Lord Beaconsfield had, just before he received that message from me, swallowed one drug and had inhaled another drug, in quantities nicely adapted so as to enable him to speak free from the oppression of his complaint during the time that that speech required for delivery. I cannot help thinking that such incidents as these, although not very great in themselves—one at the beginning, and the other at the end of a Parliamentary career which lasted 44 years—were proofs of that determination which he possessed, and that contempt for obstacles which might have alarmed weaker men. My Lords, I remember another small fact connected with this House which appeared to me indicative of Lord Beaconsfield's self-control and his great patience. Almost any man coming into this Assembly as Prime Minister, and with a great oratorical reputation, would have been impatient for an opportunity of display. I dare say your Lordships remember how silent and how reticent Lord Beaconsfield was for two or three months after he came into your Lordships' House; and it was only when an unfounded charge was made against him that he took the opportunity of making a speech by which he immediately obtained that hold over your Lordships' House which he had so long maintained in "another place." Some men exercise influence over others by possessing in a stronger degree the qualities and the defects of those whom they influence. Others produce the same effect from exactly contrary causes. It is probable that Lord Beaconsfield, with few prejudices of his own, and more or less tolerant of those of others, belonged to the latter class. I never knew a greater master, in writing, in speaking, and in conversation, of censure and of eulogy. His long habit of sparkling literary composition, his facility in dealing with epigram, metaphor, antithesis, and even alliteration, gave him a singular power of coining and applying phrases which at once laid hold of the popular mind, and attached praise or blame to actions of the contending Parties in the State. Lord Beaconsfield had certainly the power of appealing in his policy, in his character, and in his career, to the imagination of his countrymen and of foreigners, a power which was not extin-

*Earl Granville*

guished even by death. With certain exceptions, Lord Beaconsfiold was singularly tolerant with regard to his political opponents, and very appreciative of their merits. I believe no more happy compliment was ever paid to Lord Palmerston and Lord Russell than by Mr. Disraeli in the House of Commons; and I have heard one of Mr. Cobden's dearest friends quote, as the most touching speech he ever heard, the tribute which Mr. Disraeli paid in the House of Commons to his great and victorious Free Trade opponent. I myself can boast of having been treated in this House by successive Leaders of the great Conservative Party in it with great kindness and great fairness; but I am bound to say that by none was that great fairness and forbearance more remarkably displayed than by Lord Beaconsfield during the few years that I had the honour of sitting opposite him, and on some previous occasions with regard to Foreign Affairs. My Lords, the noble Duke (the Duke of Richmond and Gordon), on Thursday, speaking on the authority of an intimate friend, told your Lordships how kind and good-natured a man in private life Lord Beaconsfield was. I believe that to be perfectly true, notwithstanding the singular power of destructiveness which he possessed, and sometimes exercised. I remember being told by one, to whom the constant devotion of Lord Beaconsfield during his life was one of the characteristic traits of his character, that not only was he a kind and good-natured man, but that he was singularly sensitive to kindness shown to him by others. There is one reason, my Lords, why this House should pay respect to the memory of Lord Beaconsfield, which is not altogether of a disinterested character. It has been said of the British aristocracy, sometimes as a matter of praise, sometimes of blame, that they are proud, wealthy, and powerful. There is an element, however, of a democratic character mixed with this aristocratic constitution of the House of Lords, which has certainly added to its wealth and strength, possibly to its pride. It is the unexclusiveness which is peculiar to the Institution. Of the smoothness with which the portals of this Assembly roll back before distinguished men, without reference to caste or to blood, of the welcome which is given to such, of the distinguished place which is assigned to them in our ranks, I know no brighter or more brilliant example than that of Lord Beaconsfield. My Lords, I beg to move the Resolution of which I have given Notice.

THE MARQUESS OF SALISBURY: My Lords, the noble Earl, in the graceful language with which he has moved the erection of this last and melancholy tribute to a political opponent, justly said, not only that contested questions were in no degree affected by the action that he or your Lordships might take, or by the language that he used, but also that not many words were needed to commend this Motion to the acceptance of Parliament. My Lords, it is true that in this case not many words are needed; because one of the most striking phenomena attending on Lord Beaconsfield's brilliant and remarkable career has been the deep interest with which, through his illness and after his death, his fate was followed, not only by his own friends and adherents, but by men of every class and degree in this country, and by distinguished men of great influence and power in other countries also. My Lords, whatever else may be said of the deceased statesman, this, at least, can never be gainsaid—his memory will ever be associated with many and great controverted issues; but the historian must always add that, when the fierce struggle was over, and the great career was closed, there was no doubt what the verdict was of his countrymen upon the services he had rendered. This unanimity of opinion with respect to one whose measures were necessarily much contested will suggest various explanations. That his Friends and Colleagues should mourn his loss and regard his memory is only too natural. I have not the same title to speak on this subject as many of those beside me have, because my close political connection with him was comparatively recent. But it lasted through anxious and difficult times, when the character of men is plainly seen by those who work with them. And upon me, as I believe upon all others who have worked with him, his patience, his gentleness, his unswerving and unselfish loyalty to his Colleagues and his fellow-labourers, have made an impression which will never leave me as long as life endures. But these feelings could only affect the limited circle of his immediate adherents. The impression which his career and character have made on the vast mass of his countrymen must be sought elsewhere. To some extent, to a great extent, no doubt, it is due to the peculiar character of his genius—to its varied nature, to the wonderful combination of qualities which he possessed, and which rarely reside in the same brain. To some extent it is also due to the circumstances to which the noble Earl has gracefully and eloquently alluded—the social difficulties of his early life, and the steadfast perseverance by which they were overcome. These facts were impressed on his countrymen, who love to see exemplified that open career to all persons, whatever their initial difficulties may be, which is one of the characteristics of their institutions of which they are most proud. They saw in Lord Beaconsfield's life a proof that whatever difficulties may attend the beginning of a man's fame, if the genius and perseverance are there, the most exalted position and the widest influence are open to any subject of the Queen. But there was another cause. Lord Beaconsfield's leading principles with respect to the greatness of his country, more and more as life went on, made an impression on our country. Zeal for the greatness of England was the passion of his life. Opinions might differ, and did differ, deeply as to the measures and steps by which expression was given to that dominant feeling; but more and more as his life went on and drew near to its close, as the heat and turmoil of controversy were left behind, as the gratification of every possible ambition negatived the suggestion of any inferior motive, and brought out into greater prominence the sacredness and strength of this one intense feeling, the people of this country recognized the force with which this desire dominated his actions, and they repaid it by an affection and reverence which did not depend upon, nor had any concern with, their opinion as to the particular policy pursued. My Lords, this was his great title to their attachment—that above all things he wished to see England united, powerful, and great. The questions of interior policy which divided classes, he had to consider them—he had to form his judgment upon them and take his course accordingly; but it seems to me he treated them always as of secondary interest, compared with this one great question—how the country to which he belonged might be made united and strong. The feeling which he showed was repaid to him abundantly; and it is because this conviction spread itself to all classes—both among those who were his friends and those who were his opponents—that this Vote which has been moved by the noble Earl, and which I have risen to second, is no expression of any Party or sectional feeling, is no representation of any opinion upon any controverted question, but is the homage and recognition of an united people to the splendid genius and the magnificent services they have lost.

*Moved*, That an humble Address be presented to Her Majesty praying that Her Majesty will give directions that a Monument be erected in the collegiate church of St. Peter, Westminster, to the memory of the late Right Honourable the Earl of Beaconsfield, K.G., with an inscription expressive of the high sense entertained by the House of his rare and splendid gifts, and of his devoted labours in Parliament and in great offices of State; and to assure Her Majesty that this House will concur in giving effect to Her Majesty's directions.—(*The Earl Granville.*)

THE EARL OF MALMESBURY: My Lords, I think it would be very natural if, after the two able speeches to which we have listened, this Motion should be at once agreed to; but I should be making a great sacrifice to my own feelings were I not on this occasion to express my opinion, not upon the great talents and political powers of Lord Beaconsfield, but upon the virtues of his private life, and the remarkable and laudable lines he has always followed both as regards his friends and his foes. My excuse, my Lords, for speaking of him is the intimate acquaintance I had with him. I knew Lord Beaconsfield at an earlier period than my noble Friend—before he had been a Minister. I was a Member of the first Cabinet in which he sat. I was with him in four Cabinets afterwards. I was in the last Cabinet as in the first; and, with all that constant occasion of knowing him well, of seeing him, hearing his sentiments, and observing his manner and character, I must say I have not known a more complete character as far as regarded the good-nature, amiability, and sincere friendship which he always displayed. Men who have seen him sitting in this place, where he gained so much honour, might naturally think that, with his unmoved countenance, with not a shadow upon his cheek, however he might have received the thrusts of the greatest gladiators of the day, he was a man without the common feelings of human nature. But that was not the case. I knew no man who felt disappointment more, or so much enjoyed triumph. It was his indomitable courage which enabled him to master his features, as it supported him through all the difficulties of his career. He had every domestic virtue which I consider a man need have. He was supported—fortunately for him, for he always said so—by a most amiable and devoted wife, to whom he was himself equally devoted. He has often told me that without her fortitude and great devotion to him, encouraging him when he was disappointed, and sharing with him his triumphs, he could not have succeeded in life as he had done. I remember, when at last he was deprived of the support of his wife, he said to me with tears in his eyes—"I hope some of my friends will take notice of me now in my great misfortune, for I have no hope; I have now no home; and when I tell my coachman to drive home, I feel it is a mockery." Lady Beaconsfield was equally devoted to him. I recollect a remarkable story, which illustrates this devotion; it is one which your Lordships have, perhaps, heard; but he told it to me himself. One day, when Lord Beaconsfield was driving to the House of Commons, having a very important speech to make, the servant, in closing the door of the carriage, shut it on Lady Beaconsfield's finger. She had the courage not to cry out or say a word, and not to move until he was out of sight, lest it might disturb him and interfere with the speech he had to make. A very short time before his death an incident occurred which showed the extraordinary courage and perseverance which existed in his character. I was walking with him, and we met an old friend, a gentleman who had formerly been very active in public life, and who had reached the age of 84, and was still looking, for that age, very young. Lord Beaconsfield said to him—"How is it you maintain your youthful appearance and your health in the way you do?" Our friend answered—"My Lord, by enjoying all the repose I can." I could not attempt to give your Lordships an idea of the tone in which Lord Beaconsfield exclaimed—"Repose! good Heavens! repose!" I think his manner and intonation impressed one more than anything else with the invincible power of work—his determination never to give way while he could do work in the service of his country—which he possessed. It was with great satisfaction that I heard the Motion made by my noble Friend. My noble Friend behind me (the Marquess of Salisbury) has said most truly that one of the most powerful passions of Lord Beaconsfield's breast was the desire to maintain the power and the honour of England; and therefore it is our duty, and a most melancholy duty it is, to raise a monument to this great and distinguished Englishman.

On question, *agreed to, nemine dissentiente.*

Ordered that the said Address be presented to Her Majesty by the Lords with White Staves.

House adjourned at a quarter before
Six o'clock till To-morrow,
half past Ten o'clock.

## HOUSE OF COMMONS,

*Monday*, 9*th May*, 1881.

MINUTES.] — SELECT COMMITTEE — Artizans' and Labourers' Dwellings Improvement, *appointed.*

PUBLIC BILLS—*Motion for Bill*—Parliamentary Oaths, *debate further adjourned.*

*Ordered — First Reading* — Local Government Provisional Orders (Askern, &c.) * [152]; Newspapers * [154]; Highways and Locomotives Amendment Act, 1878 * [155]; Tidal Rivers (Interments) * [156]; Agricultural Labourers (Ireland) * [157].

*First Reading*—Land Drainage Provisional Orders * [153].

*Second Reading*—Local Government (Gas) Provisional Order * [145]; Pier and Harbour Orders Confirmation * [143]; Land Law (Ireland) [135]—[*Fifth Night*]—*debate further adjourned;* Merchant Shipping [151], *deferred.*

## QUESTIONS.

### ROYAL IRISH CONSTABULARY — ALLEGED MISCONDUCT AT BALLINAMON.

MR. SEXTON (for Mr. BIGGAR) asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it a fact that the police under sub-inspector Barry of Ballinamon, when out assisting bailiffs to serve ejectments on the "King" property near Ballinamon did, when they found a house tenantless, search it, and, if they found no one in charge drank all the milk and sucked all the eggs they could find on the premises; and, if the allegation is true, will he take means to have the guilty parties punished?

Mr. W. E. FORSTER: Sir, I have made inquiries into the facts of this matter, and I am glad to say that these charges against the constables are quite unfounded.

## LAW AND JUSTICE (IRELAND)—ALLEGED ILLEGAL SENTENCES—MR. TRAILL, R.M.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the proceedings in the Exchequer Division of the High Court of Justice in Ireland on the 25th April, in the case of Egan *v*. Traill, the defendant being a resident magistrate of Parsonstown, and the action one of three brought against him for having illegally sentenced to imprisonment and hard labour persons who had been arrested by the police on a charge of assault, Mr. Traill having gone on a Sunday to the police barrack where the men were in custody, and although they offered bail and asked to be remanded to petty sessions, refused to postpone the cases, and imposed on the men sentences of imprisonment varying from eight days to one month. The men were in gaol for the whole of these respective periods, and the affidavit stated that they had to sleep upon plank beds; whether Baron Fitzgerald stated when refusing Mr. Traill's application, that he "had sentenced three several men to imprisonment illegally;" whether when excusing Mr. Traill's conduct his counsel stated that he, being only a major in the Army, "could not be expected to know the law accurately as he was not a lawyer;" whether the Government will consider Major Traill's removal from such a responsible legal position, and upon whose recommendation Major Traill was appointed, and by whom it was sanctioned; and, whether if it be true, as appears from the Return of Stipendiary Magistrates lately presented to this House, that Major Traill has been acting for the last fifteen months for another resident magistrate absent on sick leave, the Government will at once take steps to appoint a competent person in the place of the absent official?

Mr. W. E. FORSTER: Sir, I have instituted an inquiry into the circumstances referred to in the Question, and what I understand to be the case is this. Sixteen persons were arrested on a charge of assault in September last at the place named, and detained in the lock-up. Three of these persons were the persons alluded to in the Question. Two of them who had committed the offence were convicted by the magistrate named; but this conviction was illegal, because they were tried at the gaol by one magistrate, and not at petty sessions before more than one magistrate. I have received no official report of the proceedings referred to, nor of the language used by Mr. Justice Fitzgerald at the trial; but I have no reason to believe that it has been inaccurately given in the newspaper reports. The commitment was made by the magistrate in ignorance of the law; and Major Traill has been sufficiently penalized for the error he made by becoming the defendant in three actions. He was appointed by the late Government to do duty in the place of the resident magistrate, who had asked for leave of absence, and has since resigned in consequence of ill health. A successor to Major Traill will be sent to Parsonstown in a few days' time.

## CRIME (SCOTLAND)—ALLEGED OUTRAGE AT BRAEHEAD, DUNFERMLINE.

Mr. SEXTON (for Mr. Biggar) asked the Lord Advocate, If his attention has been called to the following paragraph from the daily newspapers:—

> "A daring outrage was committed at Braehead, near Dunfermline, about midnight on Sunday. While Thomas Nickol, coachman at Lassadie House, and his wife and family were sitting at the fireside they were startled by a terrific noise, and on going to the door they found at a little distance from the window of the room in which they had been sitting a flask, about five inches in length by three inches in diameter, which had evidently been filled with some explosive substance and a lighted fusee applied to it. It is presumed that the perpetrators of the outrage must have thrown the flask with the intention that it should pass through the window; but, fortunately, it struck

against the sash, and fell on the outside as it exploded. It is believed that the act was prompted by a feeling of revenge towards Mr. Nickol for evidence which he gave in court lately against some poachers in the district;"

and, if any arrests have been made; and, if not, whether the Government intend to apply for additional powers for the better protection of life and property in Scotland?

THE LORD ADVOCATE (Mr. J. M'LAREN): Sir, the Executive in Scotland have sufficient power to deal with any agitation that may arise. But, as long as the land agitation in Scotland is in the hands of two hon. Gentlemen opposite, who lately addressed meetings in Edinburgh and Glasgow, I am confident that it will not be necessary to put those powers into execution. The matter referred to in the Question had no connection with any agrarian movement, and it is undergoing investigation by the authorities.

## SOUTH AFRICA—THE TRANSVAAL WAR (CASUALTIES).

MR. STANLEY LEIGHTON asked the Secretary of State for War, Whether he can state what is the total loss in killed, wounded, and incapacitated by sickness amongst Her Majesty's forces in the late war with the Boers, and what is the approximate estimate of loss among the camp followers and teamsters?

MR. CHILDERS: Sir, I cannot yet give a full answer to the hon. Member's Question, especially the latter part. But the numbers of killed and wounded are—officers, 29 killed and 20 wounded; non-commissioned officers and men, 366 killed and 428 wounded. We have no Returns of death from sickness.

## CRIMINAL LAW (SCOTLAND)—CASE OF MR. FRASER.

MR. CAMERON asked the Lord Advocate, If his attention has been called to the case of Mr. Fraser, Inspector of Poor in the parish of Glenelg, who was tried on a charge of manslaughter at the late assizes in Inverness, which was with the concurrence of the presiding judge withdrawn by the Crown Prosecutor before the case for the defence was opened; and, whether, seeing the great annoyance and expense to which Mr. Fraser has been exposed in meeting so serious a charge, he will recommend to the Treasury that, as the prosecution was undertaken by the Crown, and as no case was made out for the consideration of the jury, Mr. Fraser should be reimbursed for his necessary expenses out of the public funds?

THE LORD ADVOCATE (Mr. J. M'LAREN): Sir, the prosecution referred to by the hon. Member was instituted after very careful inquiry, and after consultation by Crown counsel. Although the case broke down at trial, the learned Judge who presided expressed his opinion that it was a proper case to be brought to trial; and after reading the Papers I have no hesitation in concurring in that opinion. There are no public funds out of which the costs of an accused person can be paid, and I do not think that this is a case for proposing a special Vote for the expenses to which the accused party has been put.

## POST OFFICE—COMMUNICATION WITH THE NORTH OF SCOTLAND.

MR. CAMERON asked the Postmaster General, Whether he is able to state if arrangements have been made with the Highland Railway Company by which an acceleration of the mails between Perth and the North may be effected; and, whether he is aware of the great loss and inconvenience suffered by those now engaged in the fishing on the West Coast of Scotland, in consequence of the delay in repairing the cable to Stornoway, and if he can hold out any hopes that the cable will be put into working order within a short time?

MR. FAWCETT, in reply, said, that no arrangements had been entered into with the Highland Railway Company for the acceleration of the mail referred to; but negotiations were about to be entered into with that Company. With regard to the second part of the Question, the delay in the repair of the cable to Stornoway was due to the difficulty of obtaining a cable ship. He hoped steps would be taken to obviate that difficulty in future. He was glad, however, to be able to state that a few days since a suitable cable vessel was obtained, and that vessel was now being got ready with the greatest speed possible. It would proceed to Stornoway in the course of a day or two, and he hoped no delay would occur again.

### WILD FOWL ACT, 1880—SALE OF BIRDS.

Mr. JACOB BRIGHT asked the Secretary of State for the Home Department, Whether he can state what is the opinion of the Law Officers of the Crown with regard to the right to offer for sale birds which, under the Wild Fowl Act of 1880, it is lawful to kill?

Sir WILLIAM HARCOURT, in reply, said, he had consulted the Law Officers of the Crown with regard to the matter referred to in the Question, and their opinion was that on the construction of the Statute it was doubtful; but as the question was one likely to come before the Courts for decision, it would not be desirable to express any definite opinion on the subject. If the decision should be adverse legislation would be necessary.

### ARTIZANS' AND LABOURERS' DWELLINGS ACT (1868) AMENDMENT ACT, 1879, SECTION 18—PUBLIC HEALTH ACT, 1875, SECTION 90.

Mr. J. HOLLOND asked the President of the Local Government Board, Whether any action has been taken by the local authorities under "The Artizans' and Labourers' Dwellings Act (1868) Amendment Act, 1879;" and, if so, whether any account of the funds spent in carrying out the Act has been presented by the local authorities in accordance with Section 18; and, whether the Local Government Board has made any bye-laws under Section 90 of "The Public Health Act, 1875?"

Mr. DODSON: Sir, as far as I have been able to ascertain, action has not been taken by the local authorities under this Act, except in two or three instances. Forms of account of expenditure have been sent by the Secretary of State and the Board to all the urban authorities; but the Returns received do not show any expenditure, save in one or two cases. The Local Government Board have issued model bye-laws under Section 90 of the Public Health Act, 1875, and are now making suggestions to the local authorities on the point. The actual making of the bye-laws rests, however, with the local authorities, and not with the Board.

### TURKEY—THE ALBANIAN LEAGUE.

Mr. SUMMERS asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information with regard to the origin and nature of the conflicts that have recently taken place between the Albanians and the Turks?

Sir CHARLES W. DILKE: Sir, ever since the murder of Mehemet Ali, which was allowed to remain unpunished, the inhabitants of North-East Albania, who had already shown their discontent with Turkish rule, have assumed a very independent attitude towards the Ottoman officials. The Albanian movement, which was fostered by the Porte in order to resist the surrender of Dulcigno to Montenegro, could not be suddenly suppressed when the Porte were ultimately compelled to carry out that arrangement. This agitation increased in November, at the moment of a successful resistance offered to the conscription in the north-eastern districts of the Vilayet of Kossovo. The head-quarters of the Albanian League were first at Prisrend; but it gradually extended its influence southward, till it embraced nearly the whole of the Vilayet of Kossovo. About the month of February, emissaries were sent to Middle Albania and Scutari to agitate for autonomous Albania; but they did not meet with much success. As it was stated the League were ready to furnish a corps of 20,000 men for hostilities against Greece, the Porte found it advisable to temporize with them; but the authority of the Porte was practically in abeyance till troops began to move up to Uscup, at the end of February; and in April the League was defeated by Dervish Pasha.

### THE ISLANDS OF THE SOUTH PACIFIC—OUTRAGES UPON NATIVES COMMITTED UNDER THE BRITISH FLAG.

Mr. SUMMERS asked the Under Secretary of State for the Colonies, Whether his attention has been called to the statements of Captain Turpie, the Rev. Thomas Neilson, and others, to the effect that outrages are being constantly perpetrated with impunity upon the natives of the islands of the South Pacific by white men sailing under the British flag; and, whether he is able to give the House any information on the subject; and, if not, whether he will cause strict inquiry to be made?

Mr. GRANT DUFF: Sir, our attention having been drawn some time ago to these statements in the newspapers, my noble Friend the Secretary of State directed a letter to be addressed to the London Missionary Society, asking for any particulars as to the time, place, and nature of any such outrages, expressing likewise his regret that missionaries should not at once report such cases to the naval or colonial authorities, or to Her Majesty's High Commissioner in the Western Pacific.

## FRANCE AND TUNIS—THE HARBOUR OF BISERTA.

Mr. OTWAY asked the Secretary to the Admiralty, Whether there is any objection to lay upon the Table of the House a Report as to his Survey of the Harbour of Biserta made some years ago by Admiral Spratt?

Mr. TREVELYAN: Sir, the manuscript of this Report is not in the records of the Hydrographic Department of the Admiralty; but doubtless it is the same as appears in the published journal of the Royal Geographical Society for 1846. The Report is accompanied by a very clear map, and may be found at page 251 of the volume, which is volume 16 of the series.

## FRANCE AND TUNIS—THE KROUHMIR TRIBES (MILITARY OPERATIONS).

Mr. OTWAY asked the Under Secretary of State for Foreign Affairs, Whether it is true that a considerable number of French troops have been landed in the Bay of Biserta, contrary to the protest of the Bey of Tunis; whether this act, under such circumstances, does not constitute an act of war against the Government of Tunis; and, if so, whether it has been preceded or followed by a declaration of war against the governing power of Tunis; and, whether he will lay upon the Table Papers in the Foreign Office relating to the subject during the Government of Lord Palmerston, about the year 1863?

Sir CHARLES W. DILKE: Sir, it is true that French troops have been landed in the Bay of Biserta, and that Her Majesty's Government have received from the Bey of Tunis a protest against the violation of his territory; but his Highness at the same time states that he continues to be at peace with France, and the Consul of France still holds relations with the Bardo. With regard to the presentation of the Papers of 1863, it would not be convenient to pick out for present publication portions of a very long correspondence, which was of immense bulk, in 1838 and 1864.

Mr. MONTAGUE GUEST asked, whether the hon. Baronet would be willing to lay on the Table the despatch conveying the assurance given to Lord Lyons by M. de St. Hilaire in regard to Tunis?

Sir CHARLES W. DILKE, in reply, said, that despatch contained assurances which were repeated last week, so there were two despatches, and these would ultimately be laid before the House; but it was not desirable to do that at this moment. The substance of these assurances had been stated twice by himself, and were also stated in the other House by Lord Granville on Friday last.

## ARMY RE-ORGANIZATION—THE NEW WARRANT.

Mr. FITZPATRICK asked the Secretary of State for War, Whether, under the new warrant, senior Captains who are now forty years of age will be promoted to the rank of Major (substantive) on 1st of July, or whether they will be compelled to retire on that day?

Mr. CHILDERS: Sir, in reply to the hon. Member I have to state that there are several classes of captains of 40 years of age, and that, without entering into much detail, I could not explain how they will be dealt with. But, as a general rule, I think that an officer proposed to be promoted and liable to retire as a captain on the same day would probably be promoted.

Lieut.-Colonel MILNE-HOME asked the Secretary of State for War, If the Regulations intended to take effect on the 1st July 1881 will preserve to all officers who have wholly or partially purchase rights the same pecuniary advantages on retirement that are given by the Warrant of 1878; and, also, if his attention has been called to the apparent anomaly under that Warrant of officers who may, in certain instances, lose by promotion in respect of retiring pension, and if he will in the forthcoming Warrant provide against the recurrence of such cases?

Mr. CHILDERS: Sir, I do not know the particular case which the hon. and gallant Member has in view; but, speaking generally, the effect of the proposed changes will be that all

Purchase officers will retain on retirement the pecuniary advantages given them under the present Warrant. If the hon. and gallant Gentleman is aware of any special case which would form an exception to this rule, under the system I have explained in the Memorandum laid before Parliament, it shall be considered by the Committee who are dealing with the new Warrant. If the second part of the hon. and gallant Member's Question refers to the principle of the Warrant of 1877, under which inducements were given to officers to retire in their then existing ranks, and which he calls an apparent anomaly, I can only say that I find that this so-called anomaly was a very deliberate decision by my Predecessor on the Report of the Royal Commission, where the reasons for it are fully given; and I am not prepared to disturb it.

### ARMY—BRITISH CEMETERIES IN THE CRIMEA.

Major VAUGHAN LEE asked the Secretary of State of War, If his attention has been called to a letter in the "Times" newspaper of the 14th instant, under the signature of J. P., showing the state of our cemeteries on Cathcart's Hill and elsewhere in the Crimea; and, if he will cause steps to be taken to verify this statement, and, in the event of its being correct, he will, without delay, make arrangements to have the walls of these cemeteries repaired, and the graves and graveyards properly restored, and, for the future, have those cemeteries maintained in proper order like those of the French?

Mr. CHILDERS: Sir, in reply to the hon. and gallant Member, I have to state that I have always taken much interest in the subject of his Question, although officially the cemeteries are not in charge of the War Department and we have no funds from which aid could be given towards their maintenance. I find, as a matter of fact, that since the Crimean War about £7,000 has been spent upon them, and at the present time £80 a-year is allowed from Civil Votes for the salary of a custodian and for repairs. The real difficulty, which marks the difference between these cemeteries and the French graves, is that there are 10 British cemeteries at or near the places where the men fell, and that much objection would be made to any plan for bringing the remains at the present time to one place as was done by the French. I believe, however, that the state of the Cathcart's Hill Cemetery is not accurately described in the letter to *The Times* signed "J. P.," and it is contradicted by a subsequent letter signed by two gentlemen known to me of undoubted authority, whose initials are given, and also by a report from the Consul General at Odessa, who recently visited the Crimea. I have asked the Foreign Office to instruct the Consul General at Odessa to make further and full inquiries on the subject.

### POST OFFICE—POSTAGE OF NEWSPAPERS ABROAD.

Mr. WARTON asked the Postmaster General, Whether he will consider the advisability either of extending the time within which newspapers may be posted to foreign parts, or of dispensing with any restriction in that behalf?

Mr. FAWCETT: Sir, the restriction to which the hon. and learned Member refers has been practically abolished with regard to the whole of the Continent, the United States, and Canada, because newspapers can, by a regulation of the Postal Union, be posted at the same rate as book packets. I will consider whether any steps can be taken to limit the effect of the restriction with regard to other countries.

### SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS)—SIR EVELYN WOOD.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for the Colonies, Whether the attention of Her Majesty's Government has been called to a telegram in the "Standard" of May 6th, dated Newcastle, Wednesday, in which it is stated that—

> "Considerable surprise has been manifested here at the question raised in England as to blame or praise due to General Wood for his making the Treaty with the Boers.
>
> "Sir E. Wood as a soldier obeyed the orders he received from the Home authorities, and carried out a painful and delicate task to the best of his abilities. It is, however, no secret here that he strongly advocated driving the Boers out of Natal before entering into any negotiations with them; but his advice was altogether ignored at home;"

and, whether such statement is correct?

Sir MICHAEL HICKS-BEACH asked permission, before the right hon. Gentleman answered the Question, to put to him a Question on the same subject of which he had given him private Notice. It was—Whether any communications by telegraph or otherwise bearing on this subject have passed between Sir Evelyn Wood and the Home Government, or between the late Sir George Colley, while he was in command, and the Home Government, which have not yet been published; and, if so, whether any such communications will be published?

Mr. GRANT DUFF: I will, Sir, with the permission of the House, answer these two Questions together. The hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff) asks me with regard to a passage in *The Standard* newspaper. To that I have to reply that the statement therein contained appears to me to be neither correct nor just to Sir Evelyn Wood. In reply to the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach), I have to say that the whole history of the transaction to which he alludes is in the hands of hon. Members; that we have received no telegrams or other communications either from Sir George Colley or Sir Evelyn Wood besides and beyond those that have been laid on the Table of the House. I would refer hon. Members more especially to No. 89 of 2,837, received at the Colonial Office on the 6th of March, to No. 113 of the same Paper, received on the 17th of March, and to No. 5 of 2,858, dated the 23rd of March, the material part of which I will read as containing the most recent expression of Sir Evelyn Wood's views—

> "March 23, 11.30 p.m.—Sincerely grateful to Government for appreciation of efforts in carrying out their wishes. Referring to words 'happiest results,' &c., in my telegram of March 5, I meant that a series of actions fought by six companies could not affect our prestige, but Boer leaders had lit a fire which had got beyond their control and would be quenched more easily after a British victory; the fire is now out for a time, but Kruger to-day stated the Republic would be ruined if the Commission admitted claims from all forced to aid Boers. In drafting instructions, therefore, the hitherto inert power of the loyalists must be treated as an important factor in the question of a lasting peace. It would be also false modesty to conceal belief that personal acquaintance with me has materially aided solution. Uneducated men mistrust Governments, but trust persons."

## TITHE (EXTRAORDINARY CHARGE) BILL.

Mr. J. G. TALBOT asked the honourable and learned Member for Rye, Whether, looking to the fact that a Select Committee of this House has been appointed to consider the question of Extraordinary Tithe, he proposes to proceed with the Second Reading of the Bill on the same subject on the 25th of May?

Mr. INDERWICK, in reply, said, he had received no Notice of the intention of the hon. Member to put the Question to him. The Select Committee to which the hon. Gentleman referred had not yet been appointed. When it had been, he would be happy to tell the hon. Member what course he intended to take.

Mr. J. G. TALBOT said, he had given public Notice of his Question on Friday, which he had thought would have been sufficient, and he had intended no discourtesy to the hon. and learned Member. He now gave Notice that if the hon. and learned Member proceeded with his Motion on the 25th of May he would move the "Previous Question."

## SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS)—THE BRITISH GARRISONS.

Lord EUSTACE CECIL asked the First Lord of the Treasury, Whether, in view of the great danger of a native rising in the Transvaal, and of the critical state of our negotiations, as suggested by his answer on Monday last, he can explain the exact position of the garrisons in the Transvaal under the terms of the armistice by which they were to be allowed to receive provisions, but no material of war?

Mr. GLADSTONE: I do not wish to be committed by the terms of the Question in the answer which I give; and I take it for granted that the noble Lord's object is not to ask me to go into military details, but simply to state the condition of the garrisons. Taking the Question in that view, I have no hesitation in answering that, in the first place, as regards the provisioning of the garrisons there is no difficulty whatever. In regard to ammunition, they are also well supplied.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. DILLON.

Mr. LABOUCHERE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the fact that Mr. Dillon, now in Kilmainham Gaol, is suffering from illness; and, if he will take steps to ascertain whether continued incarceration will have any serious effect upon that gentleman's health, with a view to at once release him, if such be the case?

Mr. SEXTON also asked the right hon. Gentleman, Whether it is true, as stated in the newspapers, that in consequence of the report on the state of his health, the hon. Member for Tipperary has been placed in the infirmary of Kilmainham Prison; also, whether prisoners confined in cells through illness are condemned to entire solitude, because the rules of the prison prevent their receiving any visitors?

Mr. W. E. FORSTER: I am afraid I must ask the hon. Member for Sligo (Mr. Sexton) to repeat his Question, in order that I may make inquiry. In answer to the hon. Member for Northampton (Mr. Labouchere), Mr. Dillon is, I understand, attended by his own medical adviser. I have not received official information, although I have made inquiry as to the state of his health; but I hope, from what I see in the papers, that he is not seriously ill. That is what I gather. I should be sorry if his imprisonment should affect his health; but the hon. Member can hardly expect us to release him to enable him to renew the conduct for which it has been felt necessary to arrest him.

Mr. HEALY rose to a point of Order. He wished to know whether, when a Member of that House who had been arrested on a charge for which he had not been tried, and of which he had not been guilty, was referred to in the House, he should be mentioned by name, and not by the constituency which he represented, as was the usual courtesy in the House?

Mr. SPEAKER: The right hon. Gentleman (Mr. W. E. Forster) has not taken any course, in my opinion, opposed to Order. Hon. Members are aware that there are two Members for Tipperary in the House, and it is necessary to distinguish between them.

Mr. HEALY asked whether, in the case of a constituency having two Members, it was not usual to refer to them as the senior and the junior Member respectively?

Mr. A. M. SULLIVAN: Sir, as there are two Members for Bradford in the House, may I ask Mr. Forster whether he will be in a position to give to the House the information he expects regarding the health of the hon. Member for Tipperary when it reaches him?

Mr. W. E. FORSTER: I may say that I meant no reflection and no act of discourtesy by the way I referred to Mr. Dillon. My impression was that, when referring to any action outside of a Member of this House, it was within Order not to refer to him in the usual way, but to speak of him by name.

## ARMY RE-ORGANIZATION — MILITIA OFFICERS' UNIFORMS.

Sir HERBERT MAXWELL asked the Secretary of State for War, If any allowance will be made to Militia officers whose regiments are to be changed into the Highland or trews dress, in the same way as indicated by him, for officers of those corps changed from or to Rifles?

Mr. CHILDERS: Sir, in reply to the hon. Baronet, I have to say that in cases where alterations are made in the uniforms of Militia regiments to and from Highland dress, I propose to grant some allowance, as in the case of Rifle dress. I may add that I propose to assist the officers of the Army in the same way.

## NAVY—THE TROOP-SHIP "NEMESIS."

Mr. W. B. BEACH asked the Secretary of State for War, Whether it is correct that the "Nemesis," a troop-ship engaged by the Government to take the 7th Hussars to South Africa, and which started with half the Regiment on the 28th of February, was in such bad repair, and her engines were so defective, that a large number of horses died during the voyage?

Mr. TREVELYAN: Sir, it is the case that 39 horses out of 224 died on board the *Nemesis* on the way out. The vessel was 40 days on the voyage to the Cape, which was about 10 days longer than she ought to have taken. The delay between England and St. Vincent was caused by unusually heavy weather; but after leaving the latter port, she put into St. Helena under circumstances which have not been satisfactorily explained. On reaching the Cape the troops and horses were transferred to another transport for conveyance to Durban, and an inquiry into the circumstances was ordered on the spot, the report of which has not yet been received. The *Nemesis* was classed 100 A1 at Lloyd's, practically the highest classification she could have, and held a Board of Trade certificate dated the 21st of February last. Her hull, engines, and boilers were also thoroughly surveyed by the officers of the Transport Department before she was engaged, and were found in every respect in good order. I am sure that the House will remember that this is the only thing resembling a misadventure in the operations of the Transport Department connected with South Africa. That Department has conveyed 12,000 men, 2,400 horses, and 7,500 tons of stores 8,000 miles across the ocean, for the most part in the depth of a winter of no ordinary severity.

## PUBLIC HEALTH—SMALL-POX (METROPOLIS).

**Colonel MAKINS** asked the President of the Local Government Board, If it be a fact that application was made by the Asylums Board to the Government and the Metropolitan Board of Works for permission to place temporary Small Pox Hospitals on the vacant ground at Wormwood Scrubs; and, if so, whether such application was refused, and the grounds for such refusal?

**Mr. DODSON**: Sir, no application of the above nature has been made to the Government or to the Metropolitan Board by the Asylums Board; but an application from the Fulham District Board of Works was made to the Metropolitan Board and refused, that Board stating that they had no power to grant the use of any portion of Wormwood Scrubs for the purpose. No specific grounds of refusal were stated; but Wormwood Scrubs appear to be vested in the Metropolitan Board of Works by the Wormwood Scrubs Act, 1879, upon trust for the perpetual use thereof by the inhabitants of the Metropolis for exercise and recreation grounds, subject to their use for military purposes; and it is presumed that it was considered that under that Act there was no power to use any part of the land for a small-pox hospital.

## RAILWAYS (INDIA) — PORTUGUESE TERRITORY—TREATY OF LISBON.

**Sir GEORGE CAMPBELL** asked the Secretary of State for India, Whether, in accordance with the conditions of the Treaty of Lisbon, a mixed Commission has ascertained that a Railway from Marmaganna to New Hubli would be preferable, in the interests of commerce generally, to one from Karwar to New Hubli, and likely to prove remunerative; and, whether the Government of India are satisfied that the proposed Line by way of Marmaganna is preferable to any other, can be constructed at a reasonable cost, and is likely to prove remunerative?

**The Marquess of HARTINGTON**: Sir, under the Treaty of Lisbon it was optional to appoint a mixed Commission to ascertain whether a railway from Marmagoa to New Hubli would be preferable, in the interests of commerce generally, to one from Karwar to New Hubli. The words are, "Whenever either of the high contracting parties may be desirous of ascertaining" the advantages of one as compared with the other, they shall in concert appoint such a Commission. It was not, however, considered necessary to follow this course, Her Majesty's Government being of opinion that there were good and sufficient reasons for co-operating with the Government of Portugal in carrying out the Marmagoa undertaking, each Government dealing with the construction of those sections only of railway which lie within its own territory. The Government of India expressed themselves in favour of the Karwar line; but in dealing with the question at the India Office it was thought that both the letter and spirit of the Treaty bound us not only not to attach too much weight to the circumstance that Karwar was in British territory, but also to judge the case for Marmagoa as favourably as in reason and candour we could; and we came to the conclusion that it was more advantageous, under all the circumstances, to make the arrangement, which has been explained, with the Portuguese Government. There is no reason to suppose that the line will not be constructed at a reasonable cost by that Government and that when completed throughout it will not be remunerative.

### MERCHANT SHIPPING ACTS—EMIGRANT SHIPS.

Mr. O'DONNELL asked the First Lord of the Treasury, Whether his attention has been called to a letter in the "Pall Mall Gazette" of Friday, 6th instant, on the "Horrors of an Emigrant Ship," signed Charlotte O'Brien, and detailing the life on board an emigrant ship from Ireland to America; whether he has noticed especially the following passage:—

> "But my business was with the women's quarters, and we went on there. Between two decks, better lighted than the men's quarters, was a large space, open from one side of the ship to the other From either side of a long central walk to the outer walls of the ship were slung two enormous hammocks, one suspended about three feet from the floor, the other above the lower one. What was going on in the two upper hammocks I could not see, but I presume they were the same as those below. I suppose each of these hammocks carry about one hundred persons. They were made of sailcloth, and, being suspended all around from hooks, were perfectly flat. Narrow strips of sailcloth divided this great bed into berths. These strips of cloth, when the mattresses were out, formed divisions about eight inches high; when the mattresses are in it must be almost one level. Now in these beds lie hundreds of men and women. Any man who comes with a woman, who is or calls herself his wife, sleeps by right in the midst of hundreds of young women, who are compelled to live in his presence day and night; if they remove their clothes it is under his eyes, if they lie down to rest it is beside him. It is a shame even to speak of these things; but to destroy such an evil it is necessary to face it;"

and, whether it is the intention of Her Majesty's Government to take any steps to put an end to such a disgraceful treatment of the emigrant poor?

Mr. CHAMBERLAIN, in reply, said, the Prime Minister had desired him to answer that Question and another of a similar nature which stood on the Paper in the name of the noble Viscount the Member for Barnstaple (Viscount Lymington). The circumstances to which reference was made in the first Question were brought to his attention some days before the letter was published in *The Pall Mall Gazette* by his right hon. Friend the Chief Secretary for Ireland, and he at once made some preliminary inquiry into the matter. On the publication of the letter signed "Charlotte G. O'Brien" he communicated with the managers of the five lines of British steamships which took Irish emigrants from Liverpool to Queenstown; and he had now received from all those managers a most emphatic and categorical denial that any such circumstances as were related in the article could possibly have taken place with regard to their lines of steamships. He had, however, thought the matter of so much importance that he had directed Captain Wilson, one of the principal officers of the Board of Trade, to visit Queenstown and Liverpool to make special inquiries into the matter; and Mr. Gray, the Assistant Secretary of the Marine Department of the Board of Trade, who was now at Liverpool, had been instructed to make further inquiry. He had asked Miss O'Brien to give him the name of the ship to which her letter referred, and also any other particulars which would enable him more carefully and thoroughly to investigate the matter. He hoped, under these circumstances, the House would think it right to suspend its judgment upon the statement made. As soon as possible, after its completion, the Correspondence would be placed on the Table.

Mr. MACDONALD said, he had several times crossed the Atlantic; but he had never seen anything of the kind mentioned, although he had inspected the steerage. He would like to know, if the right hon. Gentleman had any information as to what line of steamships was referred to?

Mr. CHAMBERLAIN said, the line referred to was not mentioned in the article in *The Pall Mall Gazette*; but he had written to Miss O'Brien for particulars.

Mr. O'DONNELL asked, if any inquiry would be made as to American lines touching at Queenstown?

Mr. CHAMBERLAIN said, he was not aware that any American line carried Irish emigrants from Queenstown or Liverpool.

### POST OFFICE (SAVINGS BANK DEPARTMENT) — EMPLOYMENT OF DEAF AND DUMB PERSONS.

Mr. C. S. PARKER asked the Postmaster General, Whether, as has been stated, it is intended to employ a certain number of deaf and dumb persons at the Post Office in the sorting of papers?

MR. FAWCETT: Sir, I am glad to be able to state that arrangements have been made for the employment, experimentally, of a certain number of deaf and dumb persons in the sorting of papers in the Post Office Savings Bank Department, and I can only express a hope that the experiment will turn out successfully.

## POST OFFICE (SAVINGS BANK DEPARTMENT)—PROMOTIONS.

EARL PERCY asked the Postmaster General, with reference to the promotions about to be made in the Savings Bank Department of the Post Office, Whether it is the fact that it is proposed to pass over duly qualified officers in favour of others below them in their class; and, if so, whether he can state the grounds upon which this course is to be adopted?

MR. FAWCETT: Sir, in reply to the Question of the noble Earl, I have to state that no names have yet been submitted to me for promotion in the Savings Bank Department. In order to prevent misapprehension, I think it may be well to mention that, by a long-established rule of the Service, promotion from the third to the second class depends upon seniority combined with full competency, and from the second class to the first, and to appointments above the first, upon superior merit. I can only add that in the promotions about to be made I shall endeavour to act on these rules with the strictest impartiality.

## THE LATE EARL OF BEACONSFIELD, K.G. — INSCRIPTION ON PROPOSED MONUMENT.

MR. MACDONALD asked the First Lord of the Treasury, If the Inscription which is to be placed on the Monument which he will propose to ask to be erected to the memory of the late Earl of Beaconsfield will contain any reference whatever to his actions as a leader of a political party?

MR. GLADSTONE: Sir, as I understand this matter, according to the precedents and custom of Parliament, when the House arrives at a Vote of this kind, it expresses it in terms which are sufficiently full to afford a guide for the inscription to be placed on the public monument. That has been the course pursued on the present occasion, and I apprehend it would not be in accordance with precedent or policy, or within the authority conferred by the Vote of Parliament, to make any addition to what I may call the material words of the inscription. I do not think that any of the monuments, as far as I know, contain references to the acts of persons whom they commemorate in their character of Leaders of a political Party, and certainly I should not propose that there should now be anything that would be at variance with the established practice in the matter.

## ARMY RE-ORGANIZATION — MILITIA OFFICERS' UNIFORMS.

EARL PERCY asked the Secretary of State for War, Whether he will lay on the Table of the House a Statement of the probable average outlay which will be imposed upon each officer of Militia by the changes in dress and appointments consequent upon the proposals of Her Majesty's Government, distinguishing between those officers belonging to Regiments which will change their facings and those which will not; and, whether this House will be afforded an opportunity of considering the proposed changes of uniform before they were put in orders?

MR. CHILDERS: No, Sir; I do not propose to lay such a Return upon the Table. In many cases the alteration referred to will involve a very small expenditure, and I have already stated what I intend to do when material changes are involved. If, however, the noble Earl wishes to raise any discussion on these points, he can do so when the Vote for Clothing is being considered.

## ALKALI, &c. WORKS REGULATION BILL—CEMENT WORKS.

MR. R. N. FOWLER asked the President of the Local Government Board, Whether he is prepared to lay before the House the private reports of the Government chemists with reference to the tests to be applied to the gases or vapours emitted from cement works; and, whether he is aware that no means exist for consuming carbonic acid gas; and if, in these circumstances, he is prepared to state what are the best practical means which cement manufacturers are to be required to use, in order to comply with the Act?

Mr. DODSON: Sir, there are no Reports, either private or public, from the Government chemists as to the specific quantitative tests to be applied to these works. I am aware that no means of a practicable character exist for consuming carbonic acid gas; but that is not the gas complained of. What is complained of is the acidity other than that from carbonic acid, the density of the vapour, and the smell. Although I am not prepared at this moment to state what are the best practicable and available means cement manufacturers might be required to use, I am advised that these works may be conducted, in many instances, so as to give out less offensive vapour than is now the case, and that the vapour given out may be allowed to escape in such a manner as to be dispersed much better than at present.

## SOUTH AFRICA — THE TRANSVAAL (POLITICAL RELATIONS).

Viscount FOLKESTONE asked the First Lord of the Treasury, Whether the Transvaal State will be in "full Colonial relations with this Country;" or, whether the relations between this Country and the Transvaal will be conducted through the Foreign Office, and not through the Colonial Office?

Mr. GLADSTONE: Sir, in answer to this Question as to the words "full Colonial relations with this country," which are put in inverted commas, I wish to say I never stated or implied that the Transvaal under the new condition of things, when settled, would be in full Colonial relations with this country. I do not think that that would be an accurate description, so far as I am able to form an opinion. With regard to the Question whether the relations between this country and the Transvaal will be conducted through the Foreign Office, and not through the Colonial Office, I have to say that the practice in South Africa, even with regard to a purely Foreign State—for example, the Orange Free State—has been to conduct the relations through the Colonial Office. Instructions have been given to the Royal Commissioners on this subject to the following effect:—As regards communication with Foreign Governments, it will probably be found that the Transvaal Government should correspond on such matters with Her Majesty's Government through the President of the High Commission.

Earl PERCY asked, whether the words "full Colonial relation with this country" have not been applied to the state of certain countries whose condition is to be that of the Transvaal with regard to Great Britain?

Mr. GLADSTONE said, that the noble Earl had completely mistaken the bearing of his argument. His argument was, that as there were States in full Colonial relation with this country where the Queen did not appoint the Governor, *à fortiori* it could not be requisite that we should appoint a Governor in a State like the Transvaal.

## CRIMINAL LAW—THE QUEEN *v.* BRADLAUGH AND ANOTHER—"FRUITS OF PHILOSOPHY."

Lord RANDOLPH CHURCHILL asked the honourable and learned Member for Launceston, Whether it was a fact that the Law Officers of the late Government decided not to proceed further with the prosecution against Mr. Bradlaugh and others for publishing obscene and immoral works after the first indictment had failed owing to a technical error?

Sir HARDINGE GIFFARD, in reply, said, the Question of his noble Friend appeared to assume that the prosecution was at the instance of the Government. That was an error. It was begun by the City Police, and he had no knowledge of it. He must——

Sir WILFRID LAWSON rose to Order, and asked, whether the noble Lord could ask a Question which had no reference to a Bill or other matter before the House?

Mr. SPEAKER: The Rule is, that a Question must refer to a Bill or Motion before the House; but as the present Question refers to a matter which has attracted much public attention in this House, and as it deals with the acts of the Law Officers of the Crown of the late Government, I thought it my duty to allow the Question to be put.

Sir HARDINGE GIFFARD said, he would repeat what he was saying when interrupted—namely, that the case was begun by the City Police; he had no knowledge of it until after that time. It never was a Government prosecution, and no question of further proceedings ever came before him as Law Officer. He thought, however, he was bound to add that if he had been asked his opinion, it would have been against giving further publicity to an obscene and mischievous publication.

### APPOINTMENT OF COLONIAL GOVERNORS.

MR. WARTON asked the First Lord of the Treasury, Whether there is any instance of a colony in which the appointment of its governor, even in those cases where that office has been hereditary or elective, has not been originally made by the Crown?

MR. GLADSTONE, in reply, said, he should be most happy to answer any Question relating to a matter within his own knowledge; but as regarded that which formed the subject of the present Question, the hon. and learned Member was quite as competent as he was to ascertain the information for which he sought; and, considering the respective allowance of leisure, perhaps the hon. and learned Member was more able to find an opportunity.

### PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.

MR. NEWDEGATE asked, Whether it was the intention of the Government to take the first three Orders of the Day on the Paper in the order in which they stood?

MR. GLADSTONE: Yes. He would add that they did not propose to curtail the debate on the Land Bill for the sake of bringing on the adjourned debate on the Parliamentary Oaths Bill.

MR. A. J. BALFOUR asked, Whether, in view of the narrow majority of Saturday morning, the Government intended to persist in their determination to ask the House to have a Morning Sitting to-morrow (Tuesday)?

MR. GLADSTONE said, it would be more convenient to answer that Question when the Order was called on.

LORD RANDOLPH CHURCHILL said, the Order might not be reached until 1 o'clock in the morning, perhaps later, and the delay would occasion inconvenience. He was sure the right hon. Gentleman would not propose to increase the inconvenience of a Morning Sitting by keeping Members until a late hour before they received a definite announcement?

MR. GLADSTONE said, he should be prepared to take the judgment of the House upon the Order. He felt it necessary to do that, for reasons connected with the general position of the case, and, having said that, hon. Members would have knowledge that the subject would come on.

MR. A. J. BALFOUR said, that he had arranged the matter with his noble Friend (Lord Richard Grosvenor).

MR. GLADSTONE said, that he had not meant to convey any reflection on his hon. Friend the Member for Hertford.

### FRANCE AND TUNIS—THE TURKISH FLEET.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether it is true that the French Ambassador at Constantinople has protested against the despatch of Turkish ships to Tunis, and has stated that French ships will fire upon such ships if they are despatched?

SIR CHARLES W. DILKE: No information has reached Her Majesty's Government of the reported despatch of the Turkish Fleet to Tunis and the protest of the French Government; but an incident of this nature occurred in 1836. A similar threat was made by France in 1841, M. Guizot stating that the French Admiral had orders to turn back the Turkish Squadron, which it was rumoured was about to visit Tunis, by remonstrance if he could, but by force if necessary; and in 1864 Her Majesty's Government were informed that France would still oppose the presence of the Turkish Fleet in Tunisian waters.

MR. OTWAY asked the hon. Baronet, whether he would complete his answer by stating what the answer of Lord Palmerston's Government was in 1864?

SIR CHARLES W. DILKE: There was no answer whatever, Sir.

MR. OTWAY would like to know, if the hon. Baronet would be so good as to allow the despatches to be laid on the Table?

SIR CHARLES W. DILKE said, there were 15 volumes of these despatches from 1838 to 1864. On the occasion referred to, there was no direct communication made by the British Government with regard to the action of the French. The British Government was informed of it; but no request was made for an answer, and no answer was given.

Mr. MONTAGUE GUEST: I should like to ask the hon. Baronet, whether, in his opinion, the French Government are justified in following the precedent of 1836?

Sir CHARLES W. DILKE: I can only reply, in the words of the Government on a former occasion—it is never the custom of the Government to give answers to hypothetical Questions.

Mr. OTWAY gave Notice that he would ask the Secretary to the Admiralty, If he would allow despatches to be placed on the Table which should show whether in 1864 the British fleet was moved from Malta to the port of Tunis?

## ARTIZANS' AND LABOURERS' DWELLINGS ACTS—ALLEGED REMOVAL OF FAMILIES.

Mr. A. M. SULLIVAN asked the Chairman of the Metropolitan Board of Works, If it is the fact that the Metropolitan Board of Works, proceeding under the Artizans' Dwellings Acts, have given notice of immediate removal to nearly two hundred families, who are chiefly dock labourers residing in courts lying between Rosemary Lane (Royal Mint Street) and St. Katharine's Docks; and, if he can say whether the new dwellings which the Board proposes to erect will be suitable as residences for the same classes as those who are now about being disturbed in the locality specified?

Sir JAMES M'GAREL-HOGG, in reply, said, that the hon. and learned Member was under a misapprehension. The Metropolitan Board had given no such notices as those to which he had referred; but they had, at the request of the Trustees of the Peabody Fund, to whom the adjoining land had been sold for the erection of artizans' dwellings, obtained and furnished the names of the persons residing in the locality mentioned in the Question, and the Trustees had issued notices to those persons that their new buildings were ready for occupation. The Board erected no dwellings themselves, but only sold or let the land for that purpose.

## LAND LAW (IRELAND) BILL.

Mr. MACFARLANE asked the Prime Minister, Whether, considering the supreme importance of the Land Law (Ireland) Bill, and the great advisability of sending it up to the House of Lords in good time, so as not to give that House any excuse on that account to reject it, he will postpone all other Business not of the most urgent nature in its favour and take it day by day?

Mr. GLADSTONE, in reply, said, he was sure the hon. Member would not accuse him of want of sympathy if he declined to enter into the Question in detail. He would confine himself to saying that, as far as the Business of the Government was concerned, they attached the highest importance to the progress of the Land Law (Ireland) Bill being made as expeditiously as it could be done with due deliberation, and they would allow nothing but what was absolutely necessary or of the very simplest character to interfere with it.

## PARLIAMENT—BUSINESS OF THE HOUSE—PARLIAMENTARY OATHS BILL.

Mr. RITCHIE asked, Whether the adjourned debate on the Parliamentary Oaths Bill could be taken after 12.30, in the event of any opposition being offered to the Bill?

Mr. SPEAKER said, that the Notice of Opposition that had been given applied only to the Motion of which the Attorney General had given Notice. The House was now engaged on an Order of the Day, altogether a different matter; and as there was no Notice of opposition to the Order of the Day, it could come on at any hour.

Mr. A. J. BALFOUR wished for a definite expression from the Prime Minister, whether it was on the question of the Morning Sitting, or on this Bill, that he intended to take the feeling of the House? Was it that the Government meant to bring on the question of a Morning Sitting the next day, when the Order of the Day was read? He believed it was competent to the Government to adopt either course.

Mr. GLADSTONE: Sir, there is no intention on the part of the Government to bring in anything relating to the proposal of my hon. and learned Friend. The question of the Morning Sitting only will be considered to-night.

In answer to Mr. Onslow,

Mr. SPEAKER said, that the adjourned debate on the Bill could come on at any hour.

### FRANCE—THE COMMERCIAL TREATY —THE NEW FRENCH GENERAL TARIFF.

MR. SLAGG asked the Under Secretary of State for Foreign Affairs, Whether the present Treaty of Commerce with France will not expire on Nov. 8, and what attempt is being made to avoid delay in fixing its future form?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have been officially informed that the new French General Tariff was promulgated yesterday, and accordingly, in pursuance of the Declaration signed on the 10th of October, 1879, the Commercial Treaties and Conventions between Great Britain and France now in force will expire on the 8th of November next. To avoid the delay referred to by the hon. Member, I beg to state that Her Majesty's Government urged on the 18th of June, 5th of August, 12th of October, 15th of November, 15th of February, and several times in March and April last, that negotiations should be entered upon; but the French Government replied that they could not proceed until the Bill for establishing the new General Tariff had been passed by the Senate. When the discussion in the Senate was approaching its conclusion, Her Majesty's Government asked that, in order to avoid delay, some person should be sent to London to furnish preliminary explanations on questions of detail. The French Government, however, preferred to give them in Paris, and Mr. Kennedy was accordingly sent there for the purpose. It will thus be seen that there has been in the past no delay on the part of Her Majesty's Government. I would add that in the official notification from the French Government to which I have referred, no proposal with respect to formal negotiations is made by that Government. This point will not be lost sight of in the answer which will be returned to M. Challemel-Lacour.

MR. BOURKE asked, whether in the negotiations any hope had been held out of changes beneficial to the commerce of this country?

SIR CHARLES W. DILKE said, that such hopes had been held out, and that he hoped the French Government would be prepared to make such changes.

### ASSASSINATION OF THE EMPEROR OF RUSSIA.

#### REPLY TO THE MESSAGE OF CONDOLENCE.

THE MARQUESS OF TAVISTOCK, having been appointed, together with the Earl PERCY, to attend upon Her Royal and Imperial Highness the Duchess of Edinburgh with a Message of Condolence of this House, reported that Her Royal and Imperial Highness had been pleased to reply:—

*Clarence House,*
*St. James's, S.W.*

*My Lords,*

*I beg that you will have the goodness to convey to the House of Commons the assurance of my deep gratitude for the Message of Condolence which it has sent to me, and of which you have been the bearers.*

*The feeling to which the House has given expression, on the subject of the death of my beloved father, has been to me and to the other members of my family a source of the greatest consolation.*

*MARIE.*

## *ORDERS OF THE DAY.*

### MONUMENT TO THE EARL OF BEACONSFIELD, K.G.

#### COMMITTEE.

*Considered* in Committee.

(In the Committee.)

MR. GLADSTONE, in rising to move the following Resolution:—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the Memory of the late Right Hon. the Earl of Beaconsfield, with an Inscription expressive of the high sense entertained by the House of his rare and splendid gifts, and of his devoted labours in Parliament and in great Offices of State; and to assure Her Majesty that this House will make good the expenses attending the same,"

said: Sir, considering the Notice that appears, in conjunction with my own, upon the Paper, I should, perhaps, be too sanguine were I to express even the faintest hope that this Motion might receive the unanimous assent of the Committee. But, Sir, while I do not venture to press that hope, I do entertain the very earnest hope—I would even say I offer the most earnest entreaty—that it may not be made a subject of lengthened or contentious debate. I say that, Sir, in the position of one especially bound to consider what is for the dignity of the House; but I say it also in the character of an old and keen opponent of Lord Beaconsfield; and nothing would be so painful to me, except, indeed, the rejection of the Motion, which I think impossible, as that its grace should be entirely marred by its being made the subject of angry disputation. It has not been unnatural that on a subject of this kind, exciting so much and such varied public interest, criticism should have been busy. But with regard to that criticism, both with respect to what has been done and with respect to what has not been done, I will simply say that my object has been the fulfilment of my duty, and that the fulfilment of my duty has appeared to me to lie in a careful consideration of the rules and precedents applicable to the case. I think that those precedents ought to be liberally interpreted; but, for my own part, in all these complimentary matters I have a great jealousy of additions. There is a temptation, under the influence of feeling, to make such additions, and every addition made on a particular occasion becomes an embarrassment on the next occasion. I will simply say, not that I have interpreted precedent aright—I do not assume that—but I have endeavoured, strictly and carefully, to make it my ground. Everyone will feel that this is not the occasion to attempt an historical portraiture of Lord Beaconsfield. Neither is it the occasion to attempt, especially from this side of the House—but from no side of the House, I will venture to say, is it the occasion to attempt a political eulogy of Lord Beaconsfield. It would be mistaking the purposes for which we have met to-day. I will go a little further and say that the position of the House is in some respects and in part peculiar. I do not know that it has ever happened that a Parliament in sharp antagonism to the policy of a particular Minister has been called upon to accept a proposal of this kind with respect to the Minister whose policy is opposed. At the same time, though there is no case exactly analagous to this, there are cases which make a material approximation to it. When Lord John Russell proposed, in 1850, in a speech of great good taste, a monument to the memory of Sir Robert Peel, he very naturally looked back, not merely to the crisis of the Anti-Corn Law movement which had brought them together, but to the long struggles of 30 years before; and Lord John Russell said, in very becoming language—"I will not enter into the nature of the measures with which his name is associated;" and, again—"This is not the time to consider particular opinions or particular measures." But he also quoted an earlier case, in which it happened that Colonel Barré proposed a public monument to Lord Chatham, to whom he had been not very long before in the sharpest opposition. So that although the features of this case are marked features, yet we are not without guidance from the proceedings of those who have gone before us. This I will venture to say, that it is a case with regard to which we who may be said to form the majority in this House ought to be on our guard against giving way to our own narrower political sympathies. It would be better that propositions of this kind should be altogether abandoned and forgotten than that they should degenerate into occasions for issuing the manifestoes of political alliances or of ordinary partizanship. If I am asked why, endeavouring to look without fear or favour at this case upon its merits and upon nothing else, and desirous to speak the truth without constraint and without exaggeration, I venture to recommend this proposition to the House, and why I think that the same reasons which have led the House to give in the case of other Prime Ministers of this country a testimony such as I now invite to the memory of Lord Beaconsfield should actuate us now, I say that, in my judgment, we have to look to two questions, and to two questions only; and they are, whether the tribute that it is proposed to pay is to be paid to one who, in the first place, has sustained a great historic part and done great deeds written on the page of Parliamentary and National history; and next, whether those deeds have been done with the full authority of the constituted organs of the nation and of the nation itself; and I think that an impartial survey of what has happened will satisfy the House that upon neither of these points is there the smallest room for doubt. It may seem to be a sharp mental transition for us to make, when we pass from the balance of political opinion now prevailing in this

House to the balance of opinion that existed here two or three or four years ago. But it is right, it is just, it is necessary that we should recollect that what was done by the late Parliament and what was done by the late Ministry, and above all by Lord Beaconsfield as the official head and as the guiding spirit of the late Ministry, was done under precisely the same constitutional title, and with exactly the same charter and authority as that under which we now claim to act. I cast behind me for a moment the question what I approve and what I disapprove, what I rejoice in and what I regret. We are here to act on the part of the nation, and to maintain that description of action which is suitable to, and which is required by, the nation's continuous life. The career of Lord Beaconsfield is in many respects the most remarkable in our Parliamentary history. For my own part, I know but one that can fairly be compared to it in regard to the emotional surprise—the emotion of wonder, which, when viewed as a whole, it is calculated to excite—and that is the career, more especially the early career, of Mr. Pitt. Lord Beaconsfield's name is associated with at least one great constitutional change, in regard to which I think it will ever be admitted—at least, I never can scruple to admit it—that its arrival was accelerated by his personal act. I will not dwell upon that, but upon the close association of his name with the important change in the principle of the Parliamentary franchise. It is also associated with great European transactions, great European arrangements. I put myself in the position, not necessarily of a friend and admirer who looks with sympathy upon the action of Lord Beaconsfield, but in the position of one who considers the magnitude of the part which he played on behalf of this country; and I say that one who was his political friend might fairly have said of him when he came back from Berlin—

"Aspice, ut insignis spoliis Marcellus opimis
Ingreditur, victorque viros supereminet omnes."

My duty is to look at these things in the magnitude of their national and historical character, and it is when so looking at them that I have not a doubt that the man who for seven years sustained the office of Prime Minister, the man who for nearly 30 years led, either in one House or in the other, a great Party in this country, and the man who had so intertwined himself in the interests of the national heart, as was shown on the occasion of his illness, is a man for whom the House may well do what I now call upon it to do. I have said that, in my opinion, the magnitude of the part played by Lord Beaconsfield, and the authority with which it was played, are the only matters to which we ought to look; and I press this point specially as one that many of us might perhaps forget—namely, that he acted with the same authority that we claim ourselves. The same Constitution, the same popular liberties, the same franchises, the same principle of acquiescence in the will of the majority placed him in a position, first at this box in this House and then in the House of Lords, to give effect to the policy that he believed to be for the good of his country, as those which have now placed other men in his position to give effect to what they, with equal sincerity, desire to recommend for the approval of Parliament. This somewhat dry portion of my duty, which has led me to direct the attention of the House to these two points, which I deem to contain the whole estimate of the case, is now, I think, concluded. As I have said, I will not attempt anything like an historical retrospect. It would not be fair, and it would not be just, even if it were appropriate, in point of time, that I should do so—I, who have been separated from Lord Beaconsfield by longer and larger differences than, perhaps, ever separated any two persons brought into constant contact in the transaction of Public Business. It would not be fair to him, it would not be fair to his friends, that I should endeavour to draw a picture which must be more faintly coloured, and, I must add, which must be differently coloured if executed by my hand than that which they could fairly claim. But yet, Sir, I will allow myself some satisfaction in dwelling upon matters in which I feel it is pleasurable to myself, and on which I also think it is useful for us all, to dwell. The deceased Statesman had certain great qualities on which it would be idle for me to enlarge; his extraordinary intellectual powers, for instance, were as well known to others as to me; but they are not the proper subject of our present commendations. But there were other great qualities, not intellectual—not merely intellectual, in the sense of being dissassociated from conduct—qualities immediately connected with conduct — with regard to which I should say, were I a younger man, I should like to stamp the recollection of them upon my mind for my own future guidance, and with regard to which I will say, to those younger than myself, that I would strongly recommend them for notice and imitation. These characteristics were not only written in a marked manner on his career, but were possessed by him in a degree undoubtedly extraordinary. I speak, for example, of his strength of will, his long-sighted persistency of purpose, reaching from his first entrance on the avenue of life to its very close, his remarkable power of self-government, and last, not least, his great Parliamentary courage, which I, who have been associated in the course of my life with some scores of Ministers, have never seen surpassed. There were other points in his character on which I cannot refrain from saying a word or two. I wish to express the admiration which I have always felt for his strong sympathies with his race, for the sake of which he was always ready to risk popularity and influence. A like sentiment I feel towards the strength of his sympathies with that brotherhood to which he thought, and justly thought, himself entitled to belong—the brotherhood of men of letters. It is only within the last few days that I have read in a very interesting book, the "Autobiography of Thomas Cooper," how, in the year 1844, when his influence with his Party was not yet established, Mr. Cooper came to him in the character of a struggling literary man, who was also a Chartist, and he who was then Mr. Disraeli met him with the most active and cordial kindness—so ready was his sympathy for genius. There was also another feeling, Sir, lying nearer to the very centre of his existence, which, though a domestic feeling, may now be referred to without indelicacy—I mean his profound, devoted, tender, and grateful affection for his wife, which, if—as may be the case—it deprived him of the honour of public obsequies—I know not whether it did so—has, nevertheless, left for him a more permanent title as one who knew, amid the calls and temptations of political life, what was due to the sanctity and strength of the domestic affections, and made him, in that respect, an example to the country in which he lived. In expressing a hope that this debate may not be unduly lengthened, I wish that my contribution to it may be confined within the limits of necessity. I believe, if the House has been kind enough to listen to the few words I have used, I have set before them all that it is necessary —perhaps all that it is warrantable— for me to say; but there is one slighter matter to which I wish to have the satisfaction of referring. The feeling I am about to express is not a novel feeling. It is one which I have for many years entertained, and which has been founded partly upon the private communications of my friends. There is much error and misapprehension abroad as to the personal sentiments which prevail between public men who are divided in politics. Their words may, necessarily, from time to time, be sharp; their judgments may occcasionally, may warrantably, may necessarily be severe; but the general idea of persons less informed than those within the Parliamentary circle, is that they are actuated by sentiments of intense antipathy or hatred for one another. Sir, I wish to take this occasion—if, with the permission of the House, I may for a moment degenerate into egotism upon a subject much too high for it—of recording, in this place and at this hour, my firm conviction that, in all the judgments ever delivered by Lord Beaconsfield upon myself, he never was actuated by sentiments of personal antipathy. It is a pleasure to me to make that acknowledgment. The feeling on my part is not a new one; but the acknowledgment of it could hardly have been made with propriety on an earlier occasion, and hon. Members must excuse me for having thus obtruded it upon them. Now, Sir, I again call the attention of the House to the fact that what we have to look at to-night is the greatness of the man, the greatness of the offices sustained by him, the greatness of the part he played, the greatness of the actions associated with his name, and, finally, the full and undisputed Constitutional authority which he possessed for those actions, whether they were according to our sense and taste or not — that full plenary Constitutional power which authorized beforehand and sanctioned afterwards what he did. These are the essential considerations that ought to guide us; and I feel convinced—unless it be my own grievous fault, and if so I can but regret it—that I have said enough to show the Committee that they will do well and wisely to accept—and to accept in a kindly spirit—the Motion I have the honour to submit for a public monument to Lord Beaconsfield. The right hon. Gentleman concluded by moving the Resolution of which he had given Notice.

SIR STAFFORD NORTHCOTE: Sir, in rising to second the Motion which has just been proposed, I shall say but a very few words, because I am sure I shall best fulfil the wishes of the House, and best respond to the spirit in which the Motion has been made, if I abstain from anything that can, in the slightest degree, derogate from the tone which has been given to the discussion by the speech just delivered. If I could contemplate, which I cannot for a moment do, that this Motion should not meet with the general—let me say, I hope the unanimous—acceptance of the Committee; if I could contemplate that it would not be accepted in a spirit and in a manner that would be satisfactory to those who long to see this mark of honour paid to one they love, at least I should feel that one monument, and that one of a higher character than any that could be carved in stone or marble, has already been erected to the memory of Lord Beaconsfield in the speech we have just heard. That speech has been nobly expressed, and, still more, it has been nobly conceived. I venture to say that in this tribute paid to the memory of a sharp political opponent, by one who has been for so many years engaged in the very severest of political contests, we have a record which will be an honour not merely to the speaker, not merely to him of whom the words were spoken, but an honour, as I think, to the British House of Commons. A true key has been struck to our political life and political contests—and I may venture, taking up the last words of the Prime Minister, and speaking as one who has had a very large share of the private confidence and the intimacy of our lamented and distinguished Friend for many years, having been one who has sat by his side in the midst of contests, and who has also had the privilege of sharing his confidence in private and retired moments, I can entirely and from the bottom of my heart confirm the saying of the Prime Minister, that in all those contests, ready as he always was to enter into the battle, sharp as sometimes his words were in the course of action, there was nothing in his mind, nothing in his spirit, that was unworthy of a generous antagonist. No personal feeling, I believe, was ever allowed by him to warp his sentiments of admiration for his chief political rival. Sir, I feel that this is not a moment at which I could properly address the Committee as I should wish to do. This is not a moment for the indulgence of private feelings. We have, indeed, been connected together on occasions of contest and of public debate; but yet there is so much beside that and behind that to those who were intimate with Lord Beaconsfield, that it would be painful to ourselves to attempt to parade the feelings that exist among us. There was much in him to love. There was much in his sympathy and his readiness at all times to give advice, to enter into every difficulty, however trifling it might seem, to encourage where encouragement was needed, and to utter words of warning when he thought them necessary, that greatly endeared him to us. Sir, it would, of course, be still less appropriate, indeed, it would be an outrage upon the House, were I at such a moment to attempt to draw anything like a political character of Lord Beaconsfield which should be in the nature of a political eulogium. I distinguish such occasions as the present, characteristic as they are of the British House of Commons and of the British nation, from those eulogiums which are sometimes passed in foreign countries at the funerals of men who have borne a distinguished part in party warfare, when the opportunity is seized for promoting and glorifying political differences and political parties. We have nothing of the sort here. We are here engaged for a moment, pausing in the midst of our political strife, in placing a wreath on the bier of a champion who has fallen among us, and whom all on both sides are prepared to honour. If there were anything in this proposal that seemed to pledge the country or the House to any approval or any particular policy of Lord Beaconsfield, I can quite understand that there would be difficulties raised in many quarters to paying a tribute which might be misunderstood. That, however, is not the case. We are now doing honour to a man whose rare gifts we all admire, and which have been acknowledged by all who have had any opportunity of witnessing their display. We are doing honour to a man who never quailed before danger, who never allowed himself to be disheartened by defeat or discouraged by difficulty, but who always kept a high standard before him—whether it approved itself to all men or not I will not say—and who never under any difficulties or under any circumstances lost sight of or shrank from the standard he so displayed. He was one who, when he came to the post of dignity to which he had so fairly fought his way over the greatest obstacles and under the greatest discouragements, commanded the respect not only of the people of his own country, but the respect of those among whom he took his place as the Representative of Great Britain in the affairs of foreign countries. Sir, we have been reminded that the public honours which it was desired should be done to him at his funeral were exchanged for a funeral of a more private character that was in accordance not only with his written instructions, but with the whole spirit of his life. He was one who, above all things, rejoiced in that retirement of which he was allowed to enjoy so small a portion, and his heart was in the home and the sepulchre in which his body is now placed. But we know that although his funeral was private, and there was nothing in the nature of an invitation to the nation to attend it, yet all England was there, and that the hearts of the people, whatever may be their ranks or distictions, were turned to Hughenden on that day. I venture to say that whether or not a monument is erected to him, either in this or any other place of public notoriety, the name and fame of him whom we have lost is secure in the memories of Englishmen and will never perish.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the Memory of the late Right Hon. the Earl of Beaconsfield, with an Inscription expressive of the high sense entertained by the House of his rare and splendid gifts, and of his devoted labours in Parliament and in great Offices of State; and to assure Her Majesty that this House will make good the expenses attending the same."—(*Mr. Gladstone.*)

Mr. LABOUCHERE: Sir, the Prime Minister in bringing forward this Motion has sought to elicit the opinions of the Members of this House. Acting as the Leader of the House, and as the Chief Adviser of Her Majesty, the right hon. Gentleman has submitted this Resolution; and, at the same time, has stated the reasons and arguments in its favour with his usual ability. The right hon. Gentleman has recognized with regret the fact that the Resolution will not meet with general concurrence on this side of the House. I can fully understand that feeling of regret, because, unless a Resolution of this kind meets with what may be fairly called general concurrence on both sides of the House, perhaps it would be better that it should not be put. But the right hon. Gentleman is not only the Leader of this House —he is the Successor of the late Lord Beaconsfield in the high position which he held. He was, also, for a long time, the noble Earl's political antagonist. Whatever the right hon. Gentleman may think of the policy of his Predecessor, it is not surprising that on such an occasion as this he should allow generosity to outweigh all other considerations. Nor do I think that any of those who are opposed to the Resolution will think of complaining that the right hon. Gentleman has brought it forward. It is true that certain organs of the Press, which habitually misrepresent the opinions of the Prime Minister, complain that he has not done enough on the present occasion. On the other hand, there are many in this part of the House who consider that the right hon. Gentleman has done too much. This shows how difficult it is in a question like this to satisfy all. No one would demur for a moment to the terms which the right hon. Gentleman has used in speaking of his Predecessor, and still less to the words of affectionate memory in which the right hon. Gentleman opposite has alluded to one with whom he had so long been in personal and political alliance. We should all be ready to aid in perpetuating the memory of a statesman so distinguished as the late Lord Beaconsfield, if we could do so with a conscientious regard to our own duties. We admire the perseverance and energy which enabled Lord Beaconsfield to attain to the highest position in the State. We admire his tact and his urbanity as the Leader of a great Party; and we fully understand and even share in the regret which must be felt by his friends at the loss of one so distinguished amongst the distinguished. The Prime Minister has expressed a hope that this occasion will not be converted into one of political hostility. I hope the same. I can assure hon. Gentlemen opposite that I should be sorry to use one word which may offend the feelings of anyone in the House. But, when we are asked to vote a national memorial to the late Earl of Beaconsfield, we are obliged to pause, and not to allow ourselves to be carried away by impulsive sentiment, but to consider whether the monument is merited, not only by the personal qualities of the man, but by the qualities of the Minister. The Prime Minister has called our attention to precedents. I was much surprised to hear the right hon. Gentleman say he had acted according to precedent in bringing forward this Motion, for I myself have been unable to find any precedents at all analogous to the course we are asked to take to-day. During the last 125 years there have been a vast number of Prime Ministers. Of these, only five have received this sort of recognition from the country. The first was the Earl of Chatham, and the monument was specifically stated to be erected on account of great and signal services. The words inscribed on the memorial in Westminster Abbey are—

> "During his administration Divine Providence exalted Great Britain to a height of prosperity and glory unknown to any former age."

Though there were many Members of the House at that time who acted in opposition to the Earl of Chatham, there was not one who did not agree that he had performed great and signal services. It was in consequence of this, and not that they absolutely concurred in everything that the noble Earl had done, that the Vote was unanimously agreed to by the House. The next Prime Minister to whom the honour was granted was Mr. Pitt. He died as Prime Minister of England. A proposal was brought forward of much the same character as the present one, and it was most strenuously opposed by Mr. Fox and Mr. Windham, statesmen who, hon. Gentlemen opposite will, I think, agree, were not wanting in feelings of generosity to a political opponent. There were two grounds on which their opposition was based. They said that Mr. Pitt's policy had not been successful, and held that success was an essential element for every national reward; and, also, that the policy advocated by Mr. Pitt was not in accordance with the true interests of the nation. On that occasion, Mr. Fox declared that he could not, from a sense of public duty, be a party to the conferring of public honours upon a man who was the soul—certainly the chief supporter—of a system which he had always been taught to consider a bad one. The next instance is that of Mr. Percival; but the circumstances connected with the death of that Gentleman were of so peculiar a character that it is not necessary for me to do more than mention the case. Then comes Sir Robert Peel, whose case the Prime Minister specially selected as a precedent for the Motion. Sir Robert Peel had been the Leader of a great and important Party; but his financial views were not identical with those of many of his followers. When, therefore, a Motion like the present was proposed, those who had been his followers were naturally ready to vote for it; while those who had been opposed to him on his general policy were still prepared to acknowledge that in proposing the abolition of the Corn Laws he had done the country immense service. His monument recorded merely the date of his birth and his death, stating nothing which could be a subject of controversy. The next statesman was Lord Palmerston, who also died as Prime Minister. Shortly before his death a General Election took place, at which the country entirely concurred in his policy; and considering that circumstance, and considering also that he had a majority in the House, it was not surprising that the House should have unanimously concurred in the erection of a memorial to him. There have been other Prime Ministers to whom such honours have not been paid. I might name a great many; but I will only mention three—Mr. Canning, Lord Derby, and Earl Russell. Mr. Canning had a monument to his memory in Westminster Abbey; but it was not a public one—it was raised by the pious and respectful subscriptions of his friends and adherents. Lord Derby, the Chief of the very Party now sitting on the Opposition Benches, received on his death no national honours. Still later, the death of a statesman who had been the Leader of the Liberal Party for many years occurred—I refer to Earl Russell. That noble Earl, it is true, has a monument within these walls; but this, like Canning's, was subscribed for by his friends. I think, therefore, that if we go to precedents we should find no precedent which shows that a public monument has been voted to one who had been once Prime Minister, unless he had at the time of his death a majority in the House of his own supporters, or a majority of those who considered that he had performed great and signal public services. In the present case, the grounds for the monument are set forth in the Resolution itself. I think everyone will be prepared to concur in the Resolution so far as the correctness of the grounds are concerned; but where I and my hon. Friends part company with those who support the Resolution is in our belief that these grounds are not sufficient to justify a national monument. It is true that Lord Beaconsfield had "devotedly laboured in Parliament and in great Offices of State;" but so have many others, past and present, who have had no national memorial. I admit that Lord Beaconsfield possessed "rare and splendid gifts;" but rare and splendid gifts in themselves are a danger rather than an advantage to the State when the possessor of them does not use them for what is considered by the majority of his fellow-countrymen to be to the public advantage. The mere possession of great intellectual gifts is an advantage to the person possessing them; but we are obliged to look, not only to this, but to how they are employed, and also to the results of their employment. A statue is granted by a national Vote to a politician because his country is grateful to him; but, with all respect to hon. Gentlemen opposite, whose feelings I certainly do not wish to hurt, I do not consider that the country has reason to be grateful for anything that Lord Beaconsfield did. It is impossible, to my mind, to separate the man from the Minister—the statesman from the statesmanship. Especially is it impossible in the case of one who played so great a part in contemporary history as Lord Beaconsfield to suspend our judgment at will, and look on him simply as an amiable man of great genius, and not as a Minister. The monument we are asked to raise is a political one, and it is as a politician that Lord Beaconsfield's claims to it have to be judged. The deceased Minister's policy was a bold and clear policy, and I can well understand two different estimates being formed of it. I can perfectly well conceive that hon. Gentlemen opposite view it with admiration, and most conscientiously believe that Lord Beaconsfield was entitled to the gratitude of the nation for advocating such a policy. But I think also that my own and my hon. Friends' convictions should not be questioned. I wish to avoid all controversy on this occasion with respect to Lord Beaconsfield's policy, and on that subject we and hon. Gentlemen opposite may agree to disagree. The only tribunal that can ultimately and finally decide between us will be the tribunal of posterity. But it cannot be forgotten that little more than a year ago an appeal was made to the only existing tribunal, and that tribunal has emphatically decided against the policy of Lord Beaconsfield. During Lord Beaconsfield's tenure of Office, hon. Gentlemen on this side of the House had protested against his policy, not merely on the ground that it was unwise and impolitic, but on the ground that it was politically dishonest. Without carrying political hostility beyond the grave, it is surely not unreasonable of Liberals to maintain the same opinions to-day as they did yesterday. If we now were to express our approval of a policy which at the General Election we denounced, we should, in my opinion, be stultifying ourselves. We should be laying ourselves open to the charge either that we had indulged at the General Election in rhetorical exaggeration for the purpose of misleading public opinion, or that we are absolutely indifferent to the morality or immorality of a policy. I appeal to hon. Gentlemen on both sides of the House whether we ought to make ourselves obnoxious to either of these alternatives. I do not deny Lord Beaconsfield's claims to a voluntary monument, and I acquit hon. Gentlemen opposite, of course, of being influenced in the matter by considerations of money.

The question is, whether the policy of Lord Beaconsfield should obtain, now that he is dead, that public recognition of soundness and moralty which the country denied to it while he was alive? If, at the General Election, he had been returned with a triumphant majority, nothing would have been more reasonable than the present proposal; but the reverse being the case, it is impossible for those who denounced his policy when alive, to concur unanimously in a national apotheosis of it so soon as he is dead. I had put a Notice on the Paper to the effect that it was my intention to move the Previous Question; but as that would not have been, I believe, convenient to the course of the discussion—for it would have involved its consideration before the Prime Minister had spoken to the Resolution—I substitute for it a Motion which is tantamount to it, and that is that the Chairman leave the Chair. The division on that Motion will, I think, show that the proposal made by the Prime Minister has not the general assent of the House, and that being so, I would, after what has fallen from the right hon. Baronet the Member for North Devonshire, submit to hon. Gentlemen opposite that they will do well to go into the Lobby in support of my Motion. At any rate, I hope that hon. Members will do so who sit upon the Liberal Benches, and who have over and over again protested against the policy of Lord Beaconsfield both in this House and in the country. The hon. Gentleman concluded by moving that the Chairman leave the Chair.

Mr. CAINE seconded the Amendment.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Labouchere.*)

Mr. ARTHUR O'CONNOR said, he thought that it was a thousand pities that the question had ever been brought before the House. The mischief which Lord Beaconsfield had done survived him, and he could not understand how the Prime Minister, who knew so much of the effects of that Nobleman's policy, could ask a House composed of Irishmen as well as Scotchmen and Englishmen to vote for the erection of a monument to that noble Lord's memory at the public expense. He was quite at a loss to imagine in what capacity they were to honour him. It certainly was not as a politician, for his policy was denounced as insane. It could not be as a literary man, for he was better known as a plagiarist of other men's speeches than for his own productions. After the death of another Prime Minister, Lord Beaconsfield had stooped to plagiarism in the eulogium which he pronounced upon him, having previously said of him that he had failed as a Prime Minister because he did not understand England. For his own part, he knew of nothing which Lord Beaconsfield had done to justify such a Motion as the present. With regard to Irish grievances, the noble Lord described the requirements of Ireland in graphic language many years ago; but when he was placed in the position of Prime Minister he never did anything to redress its grievances, and yet Irishmen were asked to vote public money for a monument to a man of that description, whose life was spent in antagonism to the interests of their country, and who had vilified all her public men. In his will he had left behind him a monument of his selfishness, for it showed that in death, as in life, his leading thought was a glorification of Benjamin Disraeli, and nothing else. Entertaining those views, he should cordially support the Amendment.

Question put.

The Committee *divided*:—Ayes 54; Noes 380: Majority 326.

AYES.

Anderson, G.
Balfour, J. S.
Barclay, J. W.
Barry, J.
Beaumont, W. B.
Biggar, J. G.
Briggs, W. E.
Bright, J. (Manchester)
Broadhurst, H.
Burt, T.
Byrne, G. M.
Caine, W. S.
Cameron, C.
Collings, J.
Corbet, W. J.
Daly, J.
Dawson, C.
De Ferrieres, Baron
Dilke, A. W.
Dillwyn, L. L.
Finigan, J. L.
Gordon, Sir A.
Healy, T. M.
Henderson, F.
Hopwood, C. H.
Illingworth, A.
Lawson, Sir W.
Laycock, R.
Leahy, J.
Lee, H.
Macdonald, A.
M'Carthy, J.
M'Minnies, J. G.
Mappin, F. T.
Mason, H.
Nelson, I.
O'Connor, T. P.
O'Conor, D. M.
O'Kelly, J.
Peddie, J. D.
Pennington, F.
Philips, R. N.
Potter, T. B.
Rylands, P.
Samuelson, B.
Slagg, J.

Smith, E.
Stanley, hon. E. L.
Taylor, P. A.
Thomasson, J. P.
Webster, Dr. J.
Whitworth, B.
Williams, S. C. E.
Willis, W.

TELLERS.
Labouchere, H.
O'Connor, A.

NOES.

Acland, Sir T. D.
Agar-Robartes, hn. T. C.
Alexander, Colonel C.
Amherst, W. A. T.
Ashley, hon. E. M.
Ashmead-Bartlett, E.
Bailey, Sir J. R.
Balfour, A. J.
Balfour, J. B.
Baring, Viscount
Barnes, A.
Barttelot, Sir W. B.
Bass, H.
Bass, M.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Biddell, W.
Birkbeck, E.
Blackburne, Col. J. I.
Blake, J. A.
Blennerhassett, Sir R.
Boord, T. W.
Bourke, right hon. R.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Brett, R. B.
Brinton, J.
Brise, Colonel R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Brooks, M.
Brown, A. H.
Bruce, Sir H. H.
Bruce, hon. R. P.
Bruce, hon. T.
Brymer, W. E.
Burghley, Lord
Burrell, Sir W. W.
Buszard, M. C.
Buxton, F. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, J. A.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carden, Sir R. W.
Carington, hn. Colonel W. H. P.
Cartwright, W. C.
Castlereagh, Viscount
Causton, R. K.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cecil, Lord E. H. B. G.
Chambers, Sir T.
Chaplin, H.
Cheetham, J. F.
Childers, rt. hn. H. C. E.
Chitty, J. W.
Christie, W. L.
Churchill, Lord R.
Clifford, C. C.
Clive, Col. hon. G. W.
Close, M. C.
Cobbold, T. C.
Coddington, W.
Cohen, A.
Colebrooke, Sir T. E.
Collins, E.
Colman, J. J.
Colthurst, Col. D. la T.
Compton, F.
Coope, O. E.
Corbett, J.
Cotes, C. C.
Courtauld, G.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Crichton, Viscount
Cropper, J.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Cunliffe, Sir R. A.
Dalrymple, C.
Davenport, W. B.
Davies, R.
De Worms, Baron H.
Dickson, Major A. G.
Dickson, J.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Dodson, rt. hon. J. G.
Donaldson-Hudson, C.
Douglas, A. Akers-
Duckham, T.
Duff, rt. hon. M. E. G.
Duff, R. W.
Dyke, rt. hn. Sir W. H.
Eaton, H. W.
Edwards, H.
Egerton, Adm. hon. F.
Egerton, hon. W.
Elcho, Lord
Elliot, G. W.
Emlyn, Viscount
Ennis, Sir J.
Errington, G.
Estcourt, G. S.
Evans, T. W.
Ewart, W.
Ewing, A. O.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fay, C. J.
Feilden, Major-General R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Ferguson, R.
Ffolkes, Sir W. H. B.
Filmer, Sir E.
Finch, G. H.
Findlater, W.
Fitzmaurice, Lord E.
Fitzpatrick, hn. B. E. B.
Fitzwilliam, hn. H. W.
Fitzwilliam, hn. W. J.
Fletcher, Sir H.
Flower, C.
Floyer, J.
Foljambe, C. G. S.
Foljambe, F. J. S.
Folkestone, Viscount
Forester, C. T. W.
Forster, rt. hon. W. E.
Foster, W. H.
Fowler, H. H.
Fowler, R. N.
Fremantle, hon. T. F.
Fry, L.
Gabbett, D. F.
Galway, Viscount
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Goldney, Sir G.
Gooch, Sir D.
Gorst, J. E.
Grant, D.
Grant, Sir G. M.
Grantham, W.
Greene, E.
Greer, T.
Gregory, G. B.
Grey, A. H. G.
Guest, M. J.
Gurdon, R. T.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, J. G. C.
Harcourt, E. W.
Harcourt, rt. hon. Sir W. G. V. V.
Hartington, Marq. of
Harvey, Sir R. B.
Hastings, G. W.
Hay, rt. hon. Admiral Sir J. C. D.
Hayter, Sir A. D.
Helmsley, Viscount
Henry, M.
Herbert, hon. S.
Herschell, Sir F.
Hibbert, J. T.
Hicks, E.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, A. S.
Hill, T. R.
Hinchingbrook, Visc.
Holker, Sir J.
Holland, Sir H. T.
Hollond, J. R.
Holms, J.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Howard, E. S.
Howard, G. J.
Howard, J.
Hubbard, rt. hon. J.
Inderwick, F. A.
Jackson, W. L.
James, Sir H.
James, W. H.
Jardine, R.
Jenkins, D. J.
Johnson, W. M.
Johnstone, Sir F.
Joicey, Colonel J.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Kingscote, Col. R. N. F.
Kinnear, J.
Knightley, Sir R.
Laing, S.
Law, rt. hon. H.
Lawrance, J. C.
Lawrence, Sir J. C.
Lawrence, Sir T.
Lawrence, W.
Lea, T.
Leatham, E. A.
Leatham, W. H.
Lechmere, Sir E. A. H.
Lee, Major V.
Leeman, J. J.
Lefevre, right hon. G. J. S.
Leigh, hon. G. H. C.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Lever, J. O.
Levett, T. J.
Lewis, C. E.
Lewisham, Viscount
Lindsay, Col. R. L.
Litton, E. F.
Lloyd, M.
Long, W. H.
Lopes, Sir M.
Lowther, hon. W.
Lusk, Sir A.
Lymington, Viscount
Lyons, R. D.
Macartney, J. W. E.
Mac Iver, D.
Mackintosh, C. F.
Macnaghten, E.
M'Clure, Sir T.
M'Garel-Hogg, Sir J.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, J.
Makins, Colonel W. T.
Manners, rt. hn. Lord J.
March, Earl of
Marjoribanks, Sir D. C.
Marjoribanks, E.
Marriott, W. T.
Massey, rt. hon. W. N.
Master, T. W. C.
Maxwell, Sir H. E.
Milbank, F. A.
Miles, Sir P. J. W.
Mills, Sir C. H.

Moreton, Lord
Morgan, rt. hn. G. O.
Moss, R.
Mowbray, rt. hn. Sir J. R.
Mulholland, J.
Mundella, rt. hon. A. J.
Murray, C. J.
Newdegate, C. N.
Newport, Viscount
Nicholson, W.
Nicholson, W. N.
Noel, E.
Noel, rt. hon. G. J.
Nolan, Major J. P.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
O'Beirne, Major F.
O'Brien, Sir P.
Onslow, D.
O'Shea, W. H.
Otway, A.
Paget, R. H.
Palliser, Sir W.
Palmer, C. M.
Palmer, J. H.
Patrick, R. W. C.
Peek, Sir H.
Pell, A.
Pemberton, E. L.
Pender, J.
Percy, Earl
Phipps, C. N. P.
Phipps, P.
Plunket, rt. hon. D. R.
Portman, hn. W. H. B.
Powell, W.
Price, Captain G. E.
Price, Sir R. G.
Puleston, J. H.
Pulley, J.
Ralli, P.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Richardson, T.
Ridley, Sir M. W.
Ritchie, C. T.
Robertson, H.
Rodwell, B. B. H.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Rothschild, Sir N. M. de
Roundell, C. S.
Russell, Lord A.
St. Aubyn, W. M.
Sandon, Viscount
Schreiber, C.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Sheridan, H. B.
Smith, A.
Smith, rt. hon. W. H.
Smyth, P. J.
Spencer, hon. C. R.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Stewart, J.
Storer, G.
Story-Maskelyne, M. H.
Stuart, H. V.
Sykes, C.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hn. Col. T. E.
Tennant, C.
Thomson, H.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, H. J.
Tollemache, hon. W. F.
Torrens, W. T. M'C.
Tyler, Sir H. W.
Villiers, rt. hon. C. P.
Vivian, A. P.
Wallace, Sir R.
Walpole, rt. hon. S.
Walrond, Col. W. H.
Walter, J.
Warburton, P. E.
Warton, C. N.
Watney, J.
Waugh, E.
Whitley, E.
Wiggin, H.
Wills, W. H.
Willyams, E. W. B.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, I.
Wilson, Sir M.
Winn, R.
Wodehouse, E. R.
Wolff, Sir H. D.
Woolf, S.
Wortley, C. B. Stuart-
Wroughton, P.
Wyndham, hon. P.
Yorke, J. R.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

SIR ALEXANDER GORDON explained that he had accidentally gone into the wrong Lobby. Seeing the hon. Member for Mid Kent (Sir William Hart-Dyke) standing at the door of one of the Division Lobbies, he thought he was right in going into it.

THE CHAIRMAN said, the explanation would be noted in the Minutes.

MR. BIGGAR wished to ask the right hon. Gentleman the Prime Minister one question. It was, whether or not, after the very decided expression of opinion of a large numerical minority, he thought it desirable that a Motion of that sort, which, if passed at all, should be passed with unanimity, should be persevered with?

MR. GLADSTONE: Under the circumstances, I have no hesitation in saying it is the intention of the Government to persevere with the proposal.

Main Question put.

*Resolved*, That an humble Address be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the Memory of the late Right Hon. the Earl of Beaconsfield, with an Inscription expressive of the high sense entertained by the House of his rare and splendid gifts, and of his devoted labours in Parliament and in great Offices of State; and to assure Her Majesty that this House will make good the expenses attending the same.

Resolution to be reported *To-morrow.*

## LAND LAW (IRELAND) BILL.—[BILL 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

### SECOND READING. ADJOURNED DEBATE.

### [FIFTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th April], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing to consider any just measure, founded upon sound principles, that will benefit tenants of land in Ireland, is of opinion that the leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic,"—(*Lord Elcho,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. ERRINGTON said, it was obvious that the stage of second reading was not the most convenient for discussing the full details of such a complicated measure as this. There were, however, principles underlying the measure which were novel in their application, and it was of the utmost consequence that they should be threshed out on the present occasion, that they should be defined, and their scope and limit carefully discussed and made clear to the mind of the public. It was no exaggeration to say that no measure had ever been laid before that House which had been fraught with more anxious and more momentous consequences both for the present and the future than that which was now under discussion. They had to consider, in the first place, the very grave and serious state of things which now existed in Ireland; and, secondly, how that state of things was to be dealt with. He did not think it too much to say that by this measure they were about to combat a revolution by means of a revolutionary measure; and he was perfectly convinced that if they were justified on the present occasion in accepting the homeopathic maxim of endeavouring to cure like by like, they must not lose sight of that other maxim as to the employment of those dangerous remedies, and take care that if not given in infinitesimal doses, yet it was given in a manner carefully weighed and perfectly understood. In the remarkable speech made by the Prime Minister when he introduced the Bill, he told them the greatest difficulty the Government had to contend against had arisen from wild discussions from Communistic schemes and appeals to public passion. They all knew to what he alluded, and they would agree with him that those dangers and difficulties were by no means over now that the Bill was introduced, and would not be over when it was actually passed. It was impossible for anyone who realized the position not to look with grave apprehension to what would happen when the Bill was passed. How was the Bill received as far as Ireland was concerned? In some cases with what he could only call hypocritical approval, and in others with the open and avowed declaration that it was not to be used as a measure of peace and tranquillity, but for the purposes of inciting in the future to more dangerous agitation than in the past. Everything was done to turn the good into evil, and the most dangerous way that could be done was by exciting in the minds of the credulous but honest population hopes and expectations which were quite impossible to be realized. It appeared to him that nothing was more cruel than exciting such hopes. It was necessary for them all to combine in order to defeat such tactics, and to make people understand that the measure was what he believed it would be—namely, a fair and honest measure, and that it would do all law could do to redress honest and fair grievances, but that it never could gratify the wild expectations so unfairly raised. Nothing could be further from his mind than the wish to minimize the effect of the Bill; but he thought it better that people should be disappointed before rather than after the Bill had become law. In this respect the speech of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) deserved commendation, inasmuch as it placed clearly before the country the real scope and character of the measure. He preferred to accept the right hon. and learned Gentleman as the exponent of what was a wise and statesmanlike measure than certain more recent speakers. One of the most important points he had raised was the definition of fair rent; and he was glad that he had elicited from the Government in no doubtful terms that they admitted the same definition, and he was glad to hear that because it showed him that, after all, there was common ground on which they could all approach the subject—that common ground being the necessity, which was frankly admitted to exist in Ireland as well as in England and among landlords as well as among tenants, that some law must be passed in regard to land. He thought they ought all to combine to make that Bill what he trusted it would be, not a triumph for any Party nor for any class, but a Bill of fairness and justice to all classes of persons. There was one point in the speech of the right hon. and learned Member for the University of Dublin to which he took exception, and that was in regard to the drafting of the Bill. He had said that the Bill was obscure; but it appeared to him (Mr. Errington) that the obscurity was not due so much to the Bill as it was to the subject; and if hon. Gentlemen found a difficulty in understanding the subject, how could they expect to very readily understand the Bill? The question of free sale had been discussed again and again; but it was of such importance, that he should like to repeat to the House two strong reasons in its favour which could not be repeated too often. Hitherto, one of the greatest misfortunes was the ignorance of English people with regard to Irish ideas. Complicated and illogical as "free sale" appeared to English minds, and as applied to English ideas, it was in thorough accordance with the whole spirit and genius of Irish institutions and conditions. Hitherto, English legislation for Ireland had neglected all consideration of Irish ideas; the result had been uniform failure and disappointment. He hailed with pleasure this new departure and this attempt to legislate for Ireland according to the spirit of Irish institutions. The second great argument in favour of free sale was that it was the only way of effectually stimulating the energy and industry of the tenant. It did this by securing him an interest the value of which varied to a great extent according to his own industry. Self-interest was the only motive they could rely on; but hitherto the self-interest of the Irish tenant had been enlisted on the wrong side; it was his interest not to improve, for improvements only suggested to him a rise of rent. Now, the benefit of every hour's extra energy and labour would be secured to him; but in order that this should be so it was necessary that "free sale" should be really and completely free, and this brought him to a very grave defect in the Bill. The Bill provided that in almost every case the landlord should have the right of pre-emption, necessarily accompanied by the provision that the price of the tenant-right should be fixed by the Court. This, he ventured to say, would seriously cripple the advantage of "free sale," for no Court could measure, nor could be believed to measure, accurately the results of tenants' general improvements, It must be remembered that the larger and more important improvements, such as building and draining, would be quite the exception. What he was desirous to stimulate were those general, impalpable, but very real improvements in the general condition of the farm arising from good management and manual industry. No Court could test these in the way a public sale would. He was aware that there were strong reasons for securing the right of pre-emption to the landlord. The Prime Minister told them that Ireland was not in a fit state for absolute freedom of contract, and, therefore, he proposed to interpose a period of change. He probably wished to leave open certain doors, of which this right of pre-emption was one, by which the country must some day return; but he earnestly begged the Prime Minister to weigh very carefully whether he was not paying too dear a price for it in so seriously interfering with the most beneficial effects of free sale. He hoped the landlords would not blindly defend that point. Let them consider—what he believed very few had—what real advantage it conferred on them. He ventured to say few landlords would avail themselves of it, and yet the effect would be just as injurious as if all did so. In its evil effects it would be very like the present right of capricious eviction; few landlords used it, but, as all might use it, its evil effects were nearly as great as if all did. Now, there was one very serious argument brought against free sale which he did not wish to pass over without a word. It was said that, owing to the competition for land, excessive prices would be paid for the tenant right, thus placing the incoming tenant under an extreme rack rent, so that we were in reality undoing with one hand what we were doing with the other. He admitted that in theory this argument was unanswerable; but he contended that when applied in practice the consequences would be totally different, as was often the case with theoretical arguments. In the first place, the Irish tenant did not, and never would, regard the interest of the money spent in purchasing tenant right in the same light as rent; he might be, and was, wrong economically, but this was the fact. He knew that the capital in the one case belonged to him, and would return to him when he pleased, and though this, as we knew, made no real difference, it did so in his mind. Then, again, it was contended that because tenants in Ireland would often promise impossible rents in order to enter on possession of a farm, therefore they would pay an exhorbitant sum of ready money for the same purpose. But the difference was immense between the two cases. There was great difference between promising and paying down ready money; and in the long run a man who had money might be trusted to take care of it. But he fully admitted that it was most important not needlessly to stimulate an appetite for land, which the general tendency of this Bill would certainly not diminish; and this brought him to what he considered another grave flaw in the Bill, for there was nothing in the Bill to prevent a tenant raising money by mortgage on the tenant right. That, he feared, would be a great temptation to the incoming tenant to pay an exhorbitant price and throw himself entirely into the hands of the usurer. The consequences would be disastrous, for the tenant from the first moment of entering his farm would have no interest in the tenant right, consequently, no inducement to improve. The other great advantage of tenant right would also be lost, for if the tenant failed, or left the farm from any cause, instead of going away with a good sum of money in his pocket to help him to set up elsewhere, the money would go to the usurer, and the tenant would leave, as at present, with misery and vengeance in his heart. He, therefore, hoped some provision would be introduced, making it illegal to recover any mortgage on the tenant right. He would make one exception, and allow a mortgage by testamentary disposition for the benefit of a widow or younger children. No doubt, the economical arguments against usury laws in general would be cited against him; but here, again, he appealed from theory to practice. He had a precedent in India, where, in conditions as nearly as possible identical with those of Ireland, these provisions were found necessary to protect the "ryot" from the money-lender. This might appear at first sight an unwelcome restriction to the Irish tenant, and people would, no doubt, be found to misrepresent and abuse him for speaking thus. But he felt he was acting for the true interest of the tenant farmer in endeavouring to save him from the clutches of the usurer, and if his advice was not taken the day would come when many a poor farmer would bitterly regret it. It was, however, objected that all that fine scheme of "free sale" and "fair rents" was built on robbery, or, as the fashionable expression was, "that they were carving an interest for the tenant out of the landlord's property." That was another instance of rash statement based on theory and without knowledge or consideration of practical matters. He contended that no tangible or material interest was transferred from the landlord. What the Bill did was to liberate a capital at present locked up and unavailable, and which was in abeyance between landlord and tenant. The landlord had the legal right; but in most cases he neither could nor would exercise it, and most landlords thought they ought not to do so. On the other hand, almost all authorities in Ireland, as well as in England, admitted that the equitable right vested in the tenant; but he, of course could not use it except on sufferance. It was, therefore, in its present condition useless to everyone, and it was certain that so long as things remained as they were the landlord would never use it. What they proposed in the Bill was to call that right out of abeyance in favour of the tenant, in whom vested the equitable right. If that was to be called confiscation, the whole thing was a childish argument about words. As the Bill was founded on "free sale," and as "free sale" depended on "fair rents," so "fair rents" depended on the "Court," and thus, in reality, on the Court, its character and efficiency, really turned in the last resort the operation of the measure. He quite agreed with the right hon. and learned Member for the University of Dublin (Mr. Gibson), that there ought to be equal access to the Court for the landlord and the tenant. They had heard a great deal lately about prestige. Whatever hon. Members might think of prestige in the East, they would not deny that on the prestige of the Court in Ireland its success would greatly depend. As at present proposed, he feared its prospects of obtaining or deserving prestige were small. Almost all authorities agreed in condemning the employment of the County Courts as courts of first instance under the Bill. In the first place, uniformity of judgment was essential, and it would be impossible to obtain this from over 20 Judges, all of whom were already pledged to various views and opinions on most of the questions which would now come before them; and besides, it was notorious that, rightly or wrongly, these Courts would not command the confidence of the people. It, therefore, did appear to him that those who were to administer that new measure should come to its consideration with minds absolutely fresh and unbiassed by previous judgments. He ventured to submit the following scheme as worthy of consideration:—The Court to consist, as at present proposed, of three or four Commissioners, but with salaries higher than £2,000 a-year; he did not think £5,000 a-year too much to command men of the necessary standing and ability for these most arduous duties; they should besides be independent like other Judges, and be appointed during good behaviour, and not during pleasure. Instead of employing the County Courts, he would suggest to name in the Bill eight Assistant Commissioners—four to be experts in land matters and four to be barristers. They should be appointed for five years, because, whatever the amount of work thrown on the Court might be, it would be heaviest during the first years after the passing of the Act. Care should be taken, especially in the case of the four experts, to secure the very best men. As a practical illustration of what he meant by an expert in land matters, he mentioned the name of Professor Baldwin, a gentleman well known to many Members of the House, as the fittest person he could think of for these important duties. These Assistant Commissioners should go circuit two and two; but he proposed that, instead of deciding cases themselves, they should hear and report each case to the Commissioners at Dublin, and that the actual decision should emanate from there, and it would be without appeal except in cases where points of law were reserved; and in such cases, borrowing a provision from the Irish Church Act, he proposed that the Master of the Rolls or some other Judge should be called in to strengthen the legal element in the Court. The overwhelming importance of that portion of the Bill induced him to make that detailed proposal. They had now a *tabula rasa* on which they could inscribe what provisions they pleased; but it would be very difficult to make a change hereafter. There was another portion of the Bill which he could not pass over without a word—he meant the proposals for helping emigration, which had been used in some cases most dishonestly to excite unpopularity against the Bill. He yielded to none in his admiration for that love of country which was so noble a trait in the Irish character; but he felt indignant when he saw even these noble and sacred feelings trafficked and traded on for the sake of popularity. He did not wish to see one single Irishman who could live in reasonable comfort at home leave his own country, nor did he think that, taken on an average, the population of Ireland was at all too high; on the contrary, he looked forward to the time when, under conditions of increasing prosperity, a still larger population might be maintained in comfort; but at present it was notorious that in some districts if the people had their land for nothing they could not live. But what cared the agitators for that?—or for the fact that the thousands who now emigrated with the most precarious prospects would, under the provisions of the Bill, do so with every prospect of happiness and success? He would be ashamed, therefore, if fear of unpopularity prevented him from warmly supporting a proposal which promised happiness to thousands of his countrymen. But, after all, it was to the successful creation of a peasant proprietary that they must look for the pacification, and he hoped the ultimate regeneration of Ireland, and in connection with that he had one last suggestion to make. He had pointed out what difficulties that measure would have to contend against, and how important it was to secure the consent and approval of all honest men—the *consensus bonorum omnium*—against the combinations of agitators to defeat it. That could only be done by making the Bill a measure of justice to all classes. But it was notorious that a large section deeply interested regarded the measure with distrust. That feeling was not gratuitous nor thoughtless; and though, of course, he thoroughly disagreed with it, it could not be ignored nor summarily dismissed. It was entertained, after all, by many men second to none in their knowledge of the question and in their personal integrity. He appealed to the Prime Minister whether it was not worth while to purchase unanimity by conceding terms of compensation to the landlords, which, without cost to the public Treasury, might remove even the suggestion of bad faith? The Bill provided that sums of money—he hoped very large — were to be devoted to creating peasant proprietors; now, why should not this money kill two birds with one stone, and fulfil the simultaneous purpose of buying out such landlords as considered their interests injuriously affected? The way to effect this would be—first, to remove the restrictions imposed on the Commissioners as to the purchase of estates, especially that relating to the competent number of tenants ready to purchase their farms; and, secondly, to impose a strict limit on the price to be paid for estates by the Commissioners. If hon. Gentlemen would think this out, they would find that the result would be that for the most part the estates purchased would be those of discontented landlords, who would thus, as far as the money went, be got rid of. The limit he proposed as the price would be 20 years' purchase on a fair rent, which money should be paid in Three per Cent Stock at par. The Commissioners could then afford to sell the land to the tenants at the same fair rent to be paid for 31 years, after which time the land would be the property of the tenants. These figures were not new; but they were so remarkable as to deserve consideration. No such liberal terms to the tenant had ever been suggested. Taking a special case to see how the plan would work, they found that for every £100 of fair rent the landlord would receive £60 in Three per Cent Stock. The State borrowing the purchase money at 3 per cent, and charging the tenant fair rent—that was, 5 per cent—would be repaid capital and interest in 31 years; the tenant would then be owner. Or, supposing that, in consequence of bad years, or other exceptional cause, it was necessary to give a reduction of rent, this would only delay for a few years the final enfranchisement of the tenant. This system offered the tenants far better terms than they could get under any other system, and, on the other hand, offered an option to discontented landlords. No doubt, the price offered to the landlord was not a fancy price, but it was a fair price; and the landlord, by investing the price in other securities, might raise the income from £60 to £80 or £90; but even at £60 the offer was not unreasonable. He earnestly trusted his right hon. Friend would consider these suggestions, with a view of securing the co-operation of all classes in the success of this measure. The Prime Minister, no doubt, had brought it forward under circumstances of great advantage—those circumstances were his own great talents, and the overwhelming influence he wielded in the country—but its difficulties were also formidable, and arose not only from the inherent difficulty of the question, but from a most determined combination outside to defeat it. Of the character of that combination they had ample evidence. They had been told in public the Bill must be opposed, because, if carried, it would break up the Land League. All were bound to join in defeating that conspiracy against law and order, which virtually said—Perish honesty, perish honour, perish all the truest and best interests of the Irish tenant, perish religion, in order to keep up the mercenary agitation on which its own base existence depended. He, therefore, came forward to say what he believed was the opinion of the tenants of Ireland, that they welcomed this Bill with gratitude. This he was convinced many would say for themselves were it not for that wretched system of intimidation which made honest men afraid to avow their own honesty. On behalf of the honest men, he wished to say they regarded this Bill as a fair and good measure, worthy of the support of the Irish farmer. He was glad to see there were still persons in Ireland who had the courage to express their approval of the Bill, as had been done by the Catholic Bishops and the Presbyterian clergy. He hoped there would be a combination, not only to pass, but to make this Bill work successfully when carried; and if the Prime Minister succeeded by this great measure of justice in restoring confidence and tranquillity to his distracted country, it would rank not only among the greatest deeds of his political career, but among the greatest legislative achievements recorded in history.

Mr. DAWSON hoped to have been able to place before the House the opinions of his constituents without being obliged to enter into matters beneath the dignity or importance of this momentous question, but really could not overlook the remarks of the hon. Member who had just sat down. The hon. Member might believe that by the course he had taken he had won popularity in the House, and had obtained from the Prime Minister some assent to the extraordinary accusation he had made against that Party to whom must be ascribed the introduction of this Bill. He (Mr. Dawson) did not wish to shut out the merits due to the Prime Minister or to his Government for introducing a measure such as this, and he cordially allowed that it constituted a revolution with regard to the tenure of land in Ireland. He should therefore support, and should not oppose, the principles of the Bill. But while he went so far, he must entirely deny the allegation of the hon. Member who had just spoken that the agitation to which he referred encouraged wild schemes, and proceeded by trafficking on the credulity of the people. What were the objects of the Bill which was brought in, not by agitators nor by conspirators, but by the responsible Government of Her Majesty? Its first object was to render more fair and more just the relations between landlord and tenant in Ireland; and, having done so much to promote the creation of an occupying proprietary, what were the objects of the National Land League? He had become a member of that organization lately; but, before doing so, and before taking the position of president of one of its most important branches in the City of Dublin, he asked what were the provisions to which he was asked to subscribe. In answer to his request, he received the card of the Land League, which he held in his hand, and in which were enumerated two distinct objects. The first was to put an end to rack-renting, eviction, and landlord oppression, which was the object of the Bill before the House. It was to put an end to rack-renting by means of a State tribunal; to put an end to eviction, which the Prime Minister called a sentence of death; and to put an end to the oppression which was the whole *raison d'être* of the measure. Would the hon. Member for Longford tell his constituents that two propositions so perfectly analogous, the one introduced by the Government and the other distinctly put forward by the Land League, were trafficking on the credulity of the people, and encouraging them to wild and impossible schemes? The second object of the Land League was to effect such a radical change in the land system of Ireland as would put it in the power of every Irish farmer to become the owner, on fair terms, of the land he tilled. What was the fifth part of the Bill? Why, it proposed to afford facilities to effect the very object of the Land League. If, therefore, the hon. Member for Longford reflected upon that fact, must he not confess that the whole of his oration, though it might win a certain popularity in that House, bristled with unfounded accusations against the very people who sent him there. Coming to the Bill itself, he must say, as he said already at Carlow, that he thanked the Government for the principles enunciated in it, which appeared to him to be a revolution in the right direction on this momentous question. However, on account of the details in which it abounded, he was not in a position to give it, in the present shape, that unlimited support which he hoped to be able to give it in its final passage through the House. One of the gravest charges against the Land League, and against an hon. Member of that House, who was now unable to occupy that place which he would adorn if he were present, was that they were accused of propounding extreme doctrines when they said that tenants in Ireland ought not to pay more than Griffith's valuation. In *The Times* newspaper of the previous day, he read an editorial article in which it was stated that the Bill would probably leave the rental of estates, which were about Griffith's valuation, unaltered; but it would reduce all other rents to that point. That was the pronouncement of *The Times;* but if anyone in Ireland attempted to propound such a doctrine he would at once be called a Communistic agitator. With regard to leases, he certainly understood, from the speech of the Prime Minister, that the Bill would have a retrospective effect. The right hon. Gentleman, in speaking of the harshness inflicted on those who were obliged to contract under pressure, said the Bill would establish a Court that could take cognizance of any lease whose provisions were not in accordance with the judicial lease. If the right hon. Gentleman did not mean to include existing leases, he certainly should have done so; because the whole reason of this great revolution and the burning interest which the question assumed was due to the loud and prolonged complaints of those who were suffering from injuries inflicted by leases with conditions such as he had described. With respect to arrears of rent which had accumulated because of the impossible conditions which the unfortunate tenants were forced to assume, he did not propose that they should be wiped out;

but if they were to be met, he certainly thought it should be on the same basis as the new rents fixed by the Courts. There was a clause in the Bill which appeared to him to bear a strong resemblance to the clause in the Act of 1870 which encouraged consolidation. The Bill declared that tenants with a valuation of £150 and upwards should have the power of contracting themselves out of the benefit of the Act. He entirely disapproved of any such provision, because it would be putting the landlord in a position in which he could say that a number of small tenants could cause him any amount of trouble and annoyance. But if he had large tenants whose valuations were over £150, he would be enabled to make arrangements with them which would render the provisions of the Act nugatory. He was afraid that the retention of the words "free sale" was calculated to create a wrong impression in certain cases where the right of pre-emption enabled certain farms to be sold without being put up to public competition. With respect to the local Courts, he did not think the provision of the Bill satisfactory. The judgments of the County Court Judges were marked by such diversity of opinion, and their demeanour in many cases was of such a character, as to deprive them of the confidence of the people. He did not approve of local assessors, because he was entirely against the importation of anything like local prejudice into the decision of cases of such importance. Witnesses would be examined, and a Judge previously unacquainted with the circumstances would be more likely to come to a just conclusion than any local person. He did not think the present County Court Judges possessed the confidence of the country. He had known cases where the Judge had said to applicants in the Courts—"You had better go to Mr. Gladstone or to the Land League." There certainly had been many instances in which the Courts had shown a strong animus in favour of the landlords. Such flippancy, when treating of a serious subject, betrayed a contempt, and the judgments themselves revealed an animus, which unfitted such men for holding the fate of the Irish tenant in their hands. Turning to the scheme for the reclamation of waste lands, he expressed sympathy with the object of the Government; but entirely dissented from the proposal to hand over the work of reclamation to Joint Stock Companies, whether English or Irish. The people of Ireland did not want English money or English patronage, but they did require justice. If they obtained that they would and could cultivate the land, firmly believing that there were ample resources for the sustenance of a much larger population than they had at present. He had been greatly startled by the devolution clauses of the Bill, because they tied down the people to one heir, and really perpetuated the Law of Primogeniture, to which it was understood such men as the Prime Minister, the Chancellor of the Duchy of Lancaster, and the Chief Secretary for Ireland, and other prominent Members of the Government were strongly opposed. It was an entirely retrograde policy. The Government having made two such mistakes as these, they proposed emigration, which, in reality, was the necessary outcome of their legislation. The waste land clauses would not allow the people of Ireland to become proprietors, to become happy and independent in their own country; and the devolution clauses would not allow them to have a chance of getting the land into their own hands. He had no sentimental objection to emigration; but held that the resources of the country ought to be developed to the utmost before recourse was had to it, and that it should not be thought necessary to promote it until there should exist an absolutely surplus population for whom sustenance at home would be a matter of impossibility. He had always endeavoured to promote the proper accommodation of the labouring classes; and he thought a clause might easily be inserted in the Bill stipulating that the agricultural tenant holdings should comply with all the sanitary conditions which made life comfortable and tolerable. He would also wish to introduce a provision that the rents of those tenements should be of such a nature that they should include in their weekly charge the purchase money of the cottages and plots of ground. The condition that tenants should pay one-fourth of the purchase money he could not approve. The Prime Minister allowed the Government securities which the tenant right gave the tenant to raise the other fourth; but, if so, why not the Government supply it, instead of forcing the tenant in many cases to raise it at high interest? He acknowledged willingly and frankly that the Bill contained good and sound principles. While, however, he said that, he could not help adding that if it passed in its present condition, it would not be a measure which would effect the object Her Majesty's Government had in view in promoting it. For his part, he would be happy to assist in any changes which would add to the usefulness of the Bill; and he believed that if the Government would consider favourably and support the Amendments which would be submitted by those with whom he acted, the Bill would become an effective measure, such as the Prime Minister promised to make it—one which would tend to promote the peace and prosperity of Ireland.

MR. BRODRICK said, there were few who would not regret that speeches similar to those made in the House that night had been addressed to their constituents by some Irish Members, for much of the difficulty which had arisen might have been avoided if responsible persons had not excited anticipations which could not be fulfilled, and led tenants to expect something which the Government could not give. One thing which struck him in listening to Irish Members was that they discussed the question without recognizing the truth that their facts and arguments were less applicable to the whole of Ireland than to the particular portions with which they happened to be connected. The fault of the present Bill was that it attempted similarly to apply an universal rule to the whole of Ireland. The difficulty thus involved in criticizing the measure was increased by the fact that there were certain parts of the Bill that were still shrouded in obscurity, because criticisms and questions had not been answered by the Government. That was particularly the case with regard to Clause 7, and the House had a right to expect that direct answers should be given to the questions that had been put. The Members of the Government seemed to differ in some respects as to the interpretation which they put upon the clause. The Attorney General for Ireland said the rent was to be found by taking away the price of the tenant right from the competition rent. If that were so, it was much to be regretted that it was not stated in the Bill. The Chief Secretary diverged very quickly from the question how the fair rent was to be found. Not the least important consideration was whether it was desirable that the fair rent should be based on a competition rent, which the Commission had decided was not generally exacted by landlords. The right hon. Gentleman quoted the opinion of the O'Conor Don, that rents must be less than the fair commercial letting value of the land; but he did not state that the O'Conor Don added that it would be contrary to justice and sound policy for the State to take away private rights without giving compensation. It was, therefore, unfair to represent the O'Conor Don as favouring a diminished rent without adding his proviso with regard to that compensation which the Bill did not give. He believed the Government preferred that a term so controversial as competition rent should not find a place in the Bill; but he should be much mistaken if, when the Bill came to be interpreted in a Court of Law, the present indefinite expressions were not superseded by that of competition rent, which alone would satisfy hon. Members on that side of the House. He hoped the next Member of the Government who spoke would clear up these difficulties, so that the remaining speeches might be addressed, not merely to the intentions of the Government, but to the actual facts of the case as they would appear when interpreted by legal authorities. The Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho) dwelt more with the theoretical mistakes that would be made by the Bill than with the practical effect it would have on the people of Ireland. No invasion of the rights of property could, it must be admitted, be greater in theory than that which was involved in making freedom of contract almost a matter of the past. But still it would have been possible for a much shorter Bill to have taken a great deal more from the landlords, and to have given a great deal more to the tenants of that practical independence at which they were striving. And such a Bill would not, in practice, he hoped, be so terrible in its operation as the noble Lord anticipated. He had been much struck by the references made during the debate to the speech of the noble Lord the Member for Barnstaple (Viscount Lymington) in consequence of his connection with an estate in Wexford where the benefits of free sale were supposed to be such as to justify its extension to the whole of the country. Now, he had some acquaintance with that property, and he confessed he did not think the reference would commend the experiment which had been attempted on that property to the House. The great object they should have in view was to establish some permanent system by which the soil of Ireland would be improved both by the landlord and the tenant. Now, what were the facts of that case? The Nobleman in question had a property in Wexford from which he was reputed to draw £18,000 a-year; but he had never laid out on that property 1*s.*; he never resided on it, or in Ireland; to all intents and purposes he was an instance of an unmitigated absentee landlord, who drew a large profit from his estate, and did nothing for its improvement. Was that a system to be applauded or followed? He thought that the adoption of such a principle of estate management would be in direct opposition to the Land Act of 1870, and most injurious to the real interests of the soil. And yet this was the system which they were invited by the Government to establish in the parts of Ireland which were now free from it. Nor must it be forgotten that there were many tenants in Ireland, especially in the South, who would care wondrously little for legislative securities if in them were involved the loss of those traditional securities which existed in the confidence and good feeling of their landlord. It was all very well to say that the Bill conferred security of tenure for 15 years; but this, in the minds of many yearly tenants, meant, not the lengthening of a yearly tenancy, but the shortening of that perpetual tenure which had been enjoyed under good landlords. But it would be said that they could not ignore the proprietary right of the tenant, which had grown up under the Act of 1870. But this did not necessarily involve a system of dual ownership. The First Commissioner of Works had stated that in all parts of the Continent the tendency had been to establish the proprietary right of the tenant. There was one exception. In a part of Germany 100 years ago exactly the same difficulty now felt in Ireland had occurred. Heavy charges were laid on the tenant; there was great disaffection, poverty, and misery among the people; and the landlords had great difficulty in obtaining their rights. The Government of Germany addressed themselves to the difficulty in a manner not dissimilar to that adopted by right hon. Gentlemen opposite. They found there was undoubtedly some proprietary right in the tenant, which made his being placed absolutely at the mercy of the landlord a great cruelty and a hardship. The State therefore gave to the tenant a portion of the land, which was commensurate with his proprietary rights to enjoy it in fee-simple. The other portion of the estate was given to the landlord, compensation being granted from the National Exchequer for the amount to which his property had been depreciated by what had been transferred to the tenant. He hoped the English Government would act on a like principle of justice when they proposed to curtail the rights of the landlords. It was the misfortune of this Bill that it placed all classes of estates in Ireland on the same footing. It opened to every landlord in Ireland the possibility, if not probability, that every dissatisfied tenant would come upon him at the same moment on the passing of the Bill to demand the adjustment of his rent. For what inducements did they offer to the tenant not to take his landlord into Court? They enabled him to sell his tenant right, and when the new tenant came in the landlord was not one step nearer getting his rent than before. A new source of litigation was thus to be opened up. The hon. Member for the City of Cork (Mr. Parnell) said if the Bill passed into law they would use the resources of the Land League for the purpose of enabling the tenant to make the most of it to bring the landlord to reason, and settle the whole land of Ireland on the basis of this Bill. But, apart from litigation, did the Bill effect its object? Under this Bill the position of the tenant was to be improved; but what effect would be produced where the present tenant had not paid for tenant right? A sum would be received for which nothing had been paid, and the present tenant would, undoubtedly, receive a substantial benefit; but, seeing that any reduction of rent would be more than counterbalanced by the payment for tenant right under the Bill, the incoming tenant would be out of pocket by the transaction. Side by side with the apparent prosperity of Ulster had grown up a system of indebtedness the extent and importance of which it was difficult to exaggerate. A gentleman managing 70,000 acres had said that the indebtedness of tenants in Ulster was so great that they paid more to the usurers than to the landlords. He had himself seen an advertisement of a wholesale stationer in Ulster, who said that at present he made up five times as many bill books for the entry of accounts as he had done before the Act of 1870 had passed. It might be concluded from that fact that since the number of the Ulster tenants had not increased, their indebtedness was now five times as great as before the Act of 1870. It had been argued by the hon. and learned Member for Dundalk (Mr. Charles Russell), and echoed by the hon. Member for Carlow (Mr. Dawson), that the arrears of rent should be dealt with by the Bill. But the hon. and learned Member for Dundalk ought in logical sequence to have argued that it was not merely arrears due to the landlords, but also debts due to shopkeepers and others that should be dealt with. That would have been a measure of equality and justice which they should have expected from the Benches opposite. The hon. and learned Member for Dundalk adduced the instance of the small farmers in France, whose arrears, he said, were forgiven by the landlords in bad years. Now, it seemed to him somewhat unjust that in Ireland, where tenant right was to be recognized and compensation given for improvements, landlords should be required to make allowances to tenants for arrears. When the hon. and learned Member spoke of the custom in France he spoke of it as a matter of statute law, whereas, in fact, it was a matter of free contract between the tenant and the landlord, and a French writer had recently stated that four-fifths of the tenancies in France had been contracted out of these conditions. It was obvious that in those contracts, which made the tenant a sort of partner with the landlord, both shared in the gains and the losses. But in the case of the landlord and tenant in Ireland, they were asked to recognize this in addition to the tenant right, which would be a gross injustice. The class of estates on which improvements had been made by the landlords was not sufficiently protected by the Bill, and ought to be separated from the class on which the tenants were the improvers. He felt very strongly that where a tenant had taken a piece of bog, for example, and reclaimed it by his own labour a great deal was due to him. But, on the other hand, he would ask the House to deal equally fairly with the landlords who had made improvements on their estates. The right hon. Gentleman opposite said that the Government had put in a most important provision to protect the landlord, for they allowed him to take something from the value of the tenant right to compensate him for his improvements; but could that compensate him for being saddled with a tenant who from land hunger paid far more for the tenant right than it was worth, who had no capital left to work the farm, and who impoverished the land, while the landlord was not able to do anything to prevent it? They were told the landlord could object to an incoming tenant on the ground of the insufficiency of his means. Now, he would ask the Attorney General for Ireland, who knew the country well, how was it possible for a landlord to know anything about the sufficiency of means of the tenant coming on his property? How could he know that a tenant in the South of Ireland had not borrowed the money from a bank in the North? Let it be required that the incoming tenant should prove the sufficiency of his means, not that the landlord should prove the insufficiency of the tenant's means, and that would be much fairer. Then, as to going into Court to prove that the character of the tenant was bad, that would only expose the landlord to an action at law. It must not be forgotten that a great number of landlords in the South of Ireland had spent large sums in order to keep out of their estates this custom of free sale, which the noble Lord the Member for Barnstaple (Viscount Lymington) said was so good a thing. But this was not all. They were going to subject a good landlord who had not asked for a rise of rent to a penalty to which a bad landlord was not exposed. If a landlord attempted to evade the rules and raised his rent, he might have an opportunity of buying back his land by exercising the right of pre-emption and paying the tenant a certain sum. But the good landlord, whose tenant had chosen to fortify himself by getting a judicial rent fixed, could not regain a single acre of his land for 15 years; he would have no power of touching it during that time, whether he wanted to turn a portion of his property into villas, town parks, or anything else. Let him point out to the Chancellor of the Duchy of Lancaster, who made on Friday night such a speech as he could wish the right hon. Gentleman would make on this Bill, that the landlord of property near a town could not improve it by the erection of factories or the creation of manufacturing agencies of any kind. The estate with which he was connected was some part of it town park; but it was quite possible that some portions of it not coming under this denomination might be improved in the way to which he had just alluded, and yet they were tying it up for 15 years. All the lawyers were agreed that it was impossible under the Bill for the landlord to resume possession of any part of his land that might be necessary for the development of the estate or for the encouragement of agriculture. In fact, he objected to the Bill on the broad ground that it deprived the landlord of the power of managing his own property. No doubt, the State had a right to destroy any class whose existence was generally detrimental; but if everything was to be taken away from the Irish landowners that made them a beneficial factor in Irish life, it was only fair to accompany that deprivation with a provision in the Bill which would emancipate them from a condition which would become intolerable, and give them an opportunity of utilizing their capital elsewhere. Then came the question of the estates on which the tenants had made their own improvements, and to whom the Bill was specially acceptable. Such improvements had, perhaps, been sufficiently dealt with by the Act of 1870; but, at any rate, the tenantry in many parts of Ireland had not yet expressed an opinion on the subject. The most cautious tenants were not represented in the House; they formed part of no caucus, and were not members of any branch of the Land League; they were men who desired not to sell, but to increase their holdings, and who would be compelled, at each small addition to their farms, to pay a considerable sum of money to the outgoing tenant. These men would certainly not receive any of the justice that would be meted out to the inferior class of tenants, and furnished one instance of the various interests for which a Procrustean rule was to be adopted by the Bill. One word as to the County Courts. An attack had been made on them by the hon. Member for Carlow (Mr. Dawson), and he could not regard them as wholly satisfactory tribunals in land questions; but the Judges were honest and reliable men, who might be trusted unless they were called upon to deal with matters of which they had no knowledge. Under the Bill they would be intrusted with many complicated and difficult questions, with which they were neither by previous training, nor by the aid they could call on, competent to deal. Another great objection to them was founded on the fact that their judgments naturally varied very much in different parts of the country, so that the suitors ceased to have much confidence in them. That had been pointed out by the hon. Member for the City of Cork (Mr. Parnell) in reference to the Act of 1870. The hon. Member had said—

> "One of the chief reasons for the failure of the Act of 1870 is the want of confidence in the County Courts. Many decisions are given adverse to the people, and when a favourable decision is given the amount due is eaten up by costs. To make these Courts the tribunal for fixing fair rents is one of the vital defects of the Bill."

In his opinion, the Courts ought to be strengthened by the addition of professional valuators from Dublin, so that the work might be done efficiently, and the public might have confidence in the Courts. The landlords of Ireland, as a rule, were anxious to have the Land Question fairly dealt with; but he would put it to the Government whether the state of things which existed now was so different from that which existed in 1870, as to render necessary a complete remodelling of the law. It would be difficult to find anything in the history of the last ten years to justify a completely new departure in the system of land tenure. Rents had not generally been raised, evictions had been less numerous, prosperity had been, until the last two famine years, more general than before. And in the face of these facts they were asked to override the existing order of things by a Bill which was denounced by the landlords, unacceptable to the tenants, and which would prove to be subversive of all the social relations of the country.

MR. SUMMERS said, that in the few observations with which he should venture to trouble the House, he should endeavour to confine himself as strictly as possible to a consideration of one or two of the more important principles that were embodied in the earlier portion of the Bill. It was that part of the Bill that had been most vigorously, not to say vehemently, assailed, and against which, he presumed, at a later stage a determined opposition would be raised. Nor did it in any way surprise him that the principles of free sale and fair rents, to say nothing of fixity or security of tenure, should be an offence and a stumbling-block to many hon. Gentlemen opposite. So far as he was aware, those principles, though not entirely, were yet, to a very considerable extent, new to English law. Not that that, however, was in his view any objection to them. Indeed, so far from its being an objection to those principles that they were, to a large extent, new to English law, it appeared to him to be a positive recommendation in their favour, when it was recollected that it was not with England, but with Ireland, that they were at the present moment concerned. If they were to approach the question of the reform of the Land Laws of Ireland with any hope or prospect of arriving at a satisfactory solution of it, they must endeavour to approach it from an Irish point of view, and look at it in the light of Irish history in regard to those usages and customs which had gradually grown up and established themselves in the Sister Island. So far from seeking to maim and to cripple, to deface, and to deform those usages and those customs, it ought to be the first object of their legislation to give them new life, and force, and strength. Let them look, for example, at fair rents. Hon. Gentlemen opposite said why should it be necessary to have a Court to fix fair rents in Ireland when we were able to dispense with altogether the existence of such a Court in this country? The answer was not far to seek, and it was to be found in the different agricultural systems which prevailed in the two countries. The most characteristic and fundamental distinction between those systems was to be found in the simple but all important fact that, whereas in Ireland it was the tenant and not the landlord who for the most part made the improvements, the condition of things which generally prevailed in this country was precisely the reverse. That was a fact to which all the Commissions, from the Devon Commission down to the Bessborough Commission, bore undisputed testimony. It would not be necessary, therefore, for him to make more than a single quotation upon that head. It was taken from the Report of the Bessborough Commissioners, who wrote as follows:—

> "As a fact, the removal of masses of rock and stone, which in some parts of Ireland incumber the soil, the drainage of the land, and the erection of buildings, including their own dwellings, have generally been effected by tenants' labour, unassisted, or only in some instances assisted, by advances from the landlord."

No doubt, there were exceptions to that general rule; but the framers of the Bill now before the House had made ample provision for those exceptional cases, so that no fear need be entertained lest improving landlords should suffer any injustice when this Bill passed into law, as he trusted would shortly be the case. Springing from this all-important fact, that it was the tenant who for the most part made the improvements, they found there a widespread and well-recognized system of tenant right. They had the Ulster Custom, and customs analogous to it; and, where these did not exist, they had compensation for disturbance, recoverable in cases of capricious eviction under the disturbance clauses of the Land Act of 1870. In a word, they had a system of partnership, or *quasi*-partnership, in the land, and the tenant had an interest or property in his holding just as much as the landlord had. The tenant and the landlord were, in fact, joint proprietors of the soil. ["No, no!" *and laughter.*] Hon. Gentlemen opposite might laugh; but that was the actual fact, whether they recognized it in law or not. Landlord and tenant were, he repeated, joint proprietors of the soil, and cases were by no means unknown or infrequent where the value of the tenant right exceeded the value of the fee-simple itself. The question, therefore, which came up for consideration was this—was it to be tolerated that the interest of the tenant should be at the mercy, at the mere will or caprice of the landlord? Was the landlord to be permitted, by the constant raising of rent or in any other way, to nibble at and gradually to eat away the value of the tenant right, or should not the object of their legislation rather be, as they endeavoured to secure the landlord in the enjoyment of his property, to secure the tenant also, who was the weaker partner of the two, in the enjoyment of his? Such, then, being the relations that subsisted in Ireland between landlords and tenants, and such being the uncertainty and insecurity attaching to the tenant's interest in his holding, it became, as he held, an absolute and imperative necessity that they should have some Court of Arbitration to make an award in case of dispute between the two contending parties, or, in other words, to determine and to decide what under all the circumstances of the case a fair rent would be, which a tenant might justly be called upon to pay to his landlord; or, to put the matter in a slightly altered form, where there were two persons, each of whom had an interest or property in the same thing, and those two persons were unable to agree between themselves as to the exact amount of interest which belonged to each, it followed as a natural and inevitable consequence, if the social machinery was to work without friction, if law and order was to prevail, that there should be some external and impartial authority to step in between the two disputants, and decide the issue in dispute. In a word, they must have a Court clothed with authority to decide upon and to fix what, under all the circumstances of the case, a fair rent would be. There was only one other question upon which, with the kind indulgence of the House, he should like to say a word or two. How, it might be asked, was the Court to decide so difficult and complicated a question as what a fair rent really was? The answer of the Government was to be found in the much-debated 3rd sub-section of Clause 7 of the Bill. The words of this sub-section were as follows:—

> "A fair rent means such a rent as in the opinion of the Court, after hearing the parties and considering all the circumstances of the case, holding, and district, a solvent tenant would undertake to pay, one year with another: Provided that the Court, in fixing such rent, shall have regard to the tenant's interest;"

and the tenant's interest, they were farther told, was to be estimated with reference, first of all, to the Ulster tenant right custom, and, where no such custom existed, to the scale of compensation for disturbance provided by the Act. Now, the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), in the course of the eloquent and ingenious speech with which he opened this debate, found very great fault with this portion of the Bill; and he appeared to him (Mr. Summers) to argue that the Court, in fixing what was a fair rent, ought to pay no regard whatever to the tenant's interest in his holding. If he had rightly apprehended the argument of the right hon. and learned Gentleman, he must say that the proposition which he sought to lay down was, in his humble judgment, monstrously unjust to the tenant. An in-coming tenant bought from an outgoing tenant his tenant right. He paid for it, and it was his. Why was he to be called upon to pay for it a second time, in the shape of an addition to his rent to the landlord. He paid rent not for the tenant right, which was his property, but for the use of the fee-simple, which was the landlord's property; and it followed, therefore, as a natural consequence, and, he would say, as a matter of course and common sense, that in fixing a fair rent the Court ought to take into special consideration the extent to which the tenant had an interest in the land. He had now said what little he desired to say with regard to the principle of fair rents. The principles of fixity of tenure and free sale followed as a logical consequence from the principle of fair rents, as was very ably shown by the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law). He (Mr. Summers) did not intend to repeat the masterly argument of the right hon. and learned Gentleman, nor should he touch upon the remaining parts of the Bill, such as that which had for its object the establishment of a peasant proprietary in Ireland, except to say that, broadly and generally speaking, they had his hearty approval and support. In conclusion, he should simply content himself with saying that he trusted the Bill would speedily pass into law, and that it would accomplish the purposes—the beneficent purposes—which it was intended by its authors to serve. Might it give security to Irish industry, might it remove the well-founded grievances of the Irish tenantry, might it atone in some degree for our past misgovernment of Ireland, and help to make her a source of strength instead of weakness to the Empire.

SIR JOHN HOLKER said, that as he considered the questions involved in this measure were of overwhelming importance, he was reluctant to content himself with giving a silent vote. He did not rise in the expectation of being able to convince any hon. Gentleman opposite, because he feared that the conclusions at which they had arrived were foregone conclusions. He rose for the purpose of explaining to his constituents, and to others who might be interested in the course he adopted in Parliament, the views he entertained on this question and his reasons for the vote he was about to give. In dealing with the question presented for the consideration of the House, it was all important at the very outset to have an accurate appreciation of the designs which the Government intended to accomplish by the passing of this Bill. He presumed that, in the first place, it was the object of the Government to ameliorate the condition of the very poor among the population in Ireland, and to drive from their doors the distress and misery which very often threatened and frequently overwhelmed them. He presumed, in the second place, it was the object of the Government to diminish if they could, and, indeed, altogether to allay and remove the irritation and discontent which had for some time, unhappily, existed throughout a very great part of Ireland. No doubt, great evils arose from the excessive poverty of the tenants in some districts in Ireland. We might, he thought, without much trouble ascertain the causes of the great poverty which undoubtedly prevailed. The Irish peasant was a man of intelligence, and, according to many, he was thrifty and industrious. Whether, as a rule, he deserved that description he (Sir John Holker) would not pause to consider; but certainly the Irish peasant was capable of enduring an appalling amount of privation. The poor Irish peasant would endure cheerfully a state of things which the inhabitants of more favoured countries would consider intolerable. But there was a limit to the powers of flesh and blood, and, unfortunately, he was in such a position that he was liable almost at any time to be deprived of the necessaries of life; for in many parts of Ireland, especially in the West and the South, the population was greater than the industries of those districts could maintain. The result was that the people were often unable to obtain any employment at all. In bad seasons the occupiers of a few acres of land found it impossible to make both ends meet, a problem which at the best of times he found very difficult. In two or three such seasons these people were driven almost to desperation. Then, in consequence of the competition which had been created by the system of Free Trade, the Irish farmer, like his English brother, had been forced out of the grain market by foreign competition, a great quantity of arable land had been converted into pasture, and the result had been that the demand for labour had greatly decreased. On the other hand, as was always the case in a poor country, the population increased by gigantic strides. Thus, year by year, the demand for labour decreased and the population increased. Thus a state of things was in process of being realized—he thought, in fact, it had been realized—with which any Government would be bound to deal. We found ourselves face to face with an enormous difficulty, which must be dealt with in some way or other, no matter what sacrifices had to be made. So far as the provisions of the Bill tended to diminish these evils, he, for one, heartily approved it. It might be—it had been argued—that some of the provisions of the Bill which tried to cope with the evils to which he had referred did not altogether square with economic laws. He cared very little for that. He thought these difficulties had been forced upon the country by a stern and cruel necessity—by an overwhelming necessity. If such a necessity existed economic laws must give way. He did not altogether agree with the argument; but he would look into the provisions of the Bill. He had no doubt that much might be done by encouraging emigration, but it must be free and voluntary; and facilities should be given for emigration. Much, too, might be done by immigration and migration to other parts of the country and of the United Kingdom. There were no provisions of that kind in the Bill; but it would be easy to introduce them. The expenses ought to be borne by the National Exchequer. Then, too, there was the reclamation of tracts of land and the execution of public works, which would create a demand for remunerative labour, which would be a great advantage to the people and lead to ultimate prosperity. He thought a better time would come, especially if the Government by wise and politic laws secured life and property, and thus re-established confidence in the country. No Bill would do that which ignored or disregarded the rights of life or property. In addition to those portions of the Bill to which he had alluded, it was possible that something might be done for the benefit of the poor by creating a peasant proprietary. He confessed he had no great confidence in the possibility of permanently establishing a peasant proprietary, for the simple reason that, owing to the character of the Irish peasant— to his virtues, which were many, and to his vices, which were few—in the course of a few years 90 per cent of the owners of such holdings would have disposed of them altogether. ["No!"] He did not expect hon. Members opposite to agree with him; but that was his view. He thought such a scheme would be a failure. He freely owned that in many countries of Europe such a system had been apparently successful. At all events, he thought the plan ought to be tried slowly and tentatively. But if the Government attempted such a scheme in order to get rid of poverty, it ought to be carried out at the expense of the National Exchequer, and not at that of any particular class of the community. On what principle, he would ask, was it sought to carry out such an experiment at the expense of the landlord? He should have thought that if the Government really wanted to benefit the very poor classes in Ireland, they would, instead of endeavouring to create a peasant proprietary at the expense of the landlord, have tried to establish what he might call a State tenantry. The great difficulty in the way of establishing a peasant proprietary was that it was impossible to get the peasants who were vested with portions of land to continue to hold it. But what grave objections, he would like to know, would there be to the State acquiring from the landlord by fair purchase tracts of land, dividing them into small holdings, and letting those holdings on lease to tenants who might desire to take them? Then the tenant could not get rid of his holding. The State might let the holding for 20 or 30 years, or any other term that might be thought advisable, giving the tenant that fixity of tenure which was thought right and proper; and when he had obtained that fixity which would make it worth his while to improve his holding, he might be made subject to any stipulations which the State might think it proper to impose. It might provide for the assignment of his interest; he might get the value of any improvements which he might make; and the State, or an authority constituted by the State, might enable landlords and tenants to enter into reasonable agreements, and to do that which a reasonable and prudent landlord would do when dealing with a reasonable and prudent tenant. If some such provision as that were inserted in the Bill, it might be made so far, in his opinion, a very useful measure, and have the effect of mitigating, if not entirely removing, the great evil existing in Ireland—the excessive poverty of the peasant population. But while, after the most careful and candid consideration, and with no partizan feeling in his mind, he regarded the provisions contained in Part 5 of the Bill as good, useful, and politic, he could not, he regretted to say, make the same observation with regard to the other provisions of the measure. He now came to that part of the Bill which proposed to introduce into the law of landlord and tenant in Ireland a most complete, sweeping, and extraordinary change. That portion of the Bill was complicated and perplexing in the extreme. It was complicated and perplexing owing to the very nature of the subject with which the framers of the measure had to deal; but it had been made still more complicated and perplexing by the system of drafting which had been adopted, and which seemed as if the designed introduction of obscurity had been contemplated. He did not wish to enter into any minute criticism of the clauses of the Bill, because it was obvious that if they were not framed as lucidly as they might be, the defects might be remedied in Committee. He would therefore deal with the principles of the Bill, and allow for the moment all criticism on the phraseology of the clauses to pass. It would not, he thought, be very difficult, notwithstanding the obscurity of some of the provisions of the Bill, to state in a few sentences what were the alterations in the law of landlord and tenant which the Government proposed to accomplish. There were a good many points on which he might dwell; but he would content himself with dealing with two or three of those which appeared to him to be the most prominent. The first object of the framers of the Bill to which he would refer was that which was sought to be carried by the 1st clause, and that object was to alter the law at present in existence in all parts of Ireland not subject to the Ulster Custom, and to give every holder of land to whose tenancy the Bill applied the absolute right of free sale. He hoped hon. Members who had read the clause to which he was referring had endeavoured to understand it, though he must confess he had some doubts as to the success of any such attempt. ["Hear, hear!"] He was aware that the Prime Minister, who had done him the honour to cheer that observation—he was not sure whether ironically or not—had a great affection for that part of the Bill, which, however, appeared to him to introduce into the law a most alarming provision; for in what did the interest which the tenant was to sell consist? Did the clause give the slightest information on that point? Not at all; all was left in darkness. The tenant might be a tenant at will, and the clause would apply to him unless there was something to show that it was intended it should not apply. He might be a holder of land for a year certain, and he might be a tenant from year to year, and the clause would apply; and the Bill said, or rather the Court to be constituted under it might come to the conclusion, that not only had he a tenancy from year to year, but something more which he got from tradition or sentiment. Was it wise, he would ask, to deal with the subject in that way? If tradition and sentiment gave him more than a tenancy from year to year, how much was to be due to tradition and how much to sentiment? Was the question of sentiment to be decided by the County Court Judge? If so, one County Court Judge might respect sentiment, while another would decline to do so. The fact was that, so far as the clause was concerned, all was vague, uncertain, and so much involved in doubt, that it was impossible for the lucidity, even of the Prime Minister, to give any adequate explanation. But the clause applied to every tenant to whom the Bill related, no matter under what circumstances he might have acquired his holding, be it 50, or 60, or 100 years ago, although his rent might never have been raised, and even although he might have only so recently as two years ago been let into the holding on the distinct understanding that he was not to sell it or his interest in it, in consideration of his having to pay only a very moderate rent. Notwithstanding any such agreement, a man so situated might, after the Bill passed, break through his bargain and get what money he could for his farm. It was obvious that such a provision gave a great bonus to a man to live under a reasonable and moderate landlord, and put at a disadvantage the man who had not that good fortune—that was to say, a man who held his land under a grasping landlord would get nothing for his tenancy, whereas if he lived under a good landlord he would be able to sell his tenancy advantageously. Was that state of things, he would ask, either reasonable or just? Perhaps, however, they were not to look for any elements of justice in the Bill. As he read the Bill, every tenant for a year certain, or every tenant from year to year, not to say every tenant at will, would have it in his power, in spite of the landlord, to turn his tenancy into a 15 years' lease, and, at the same time, retain the privilege of selling his interest and determining his tenancy whenever he chose. He could give notice to quit at any time—there was no provision against it—his rent was to be fixed not by agreement with the landlord, but by a tribunal, and if turned out he was to be compensated heavily. If he had given a true description of anything like the alterations which were intended to be effected by this Bill, he would ask every man of fair and reasonable mind whether it was not a measure of the grossest confiscation and spoliation, seeing that there was not the slightest equivalent or compensation offered to the landlord for the enormous sacrifices he was called upon to make. The Bill, it seemed to him, would work an alarming, nay, an appalling, infringement of the rights of property. He would be reminded, perhaps, that it referred to Ireland. Whenever they dealt legislatively with Ireland they became involved in a haze, or a fog, or a bog, or something which obscured their vision entirely. Ireland had this peculiarity about it, that no reason or common sense applied to it at all. What would be said if such a Bill next year were applied to Scotland or England? They would be astonished, indignant, and alarmed. Unfortunately, they would be also powerless, because they might depend upon it, if these provisions were granted to Ireland in response to popular clamour, they would have to be granted to Scotland and England too, if the people clamoured for them, as clamour they soon would. And if these provisions were to be sanctioned in respect to land, why not in respect to other species of property? Why not in respect to houses, manufactures, merchandize, or wages in Ireland? Once they got rid of the silly idea of freedom of contract, where were they to stop? The hon. Member for Longford (Mr. Errington) said they were using a revolution to stop a revolution; but he (Sir John Holker) entirely objected to a revolution of this sort. It was freely admitted by responsible journals and speakers that the carrying out of the intentions of the Government would involve a flagrant violation of economic laws. Now, economic laws might require to yield in the face of an overwhelming and overmastering necessity; but no such necessity, it seemed to him, existed in Ireland. Turning to the clause relating to the fixing of fair rent, he felt bound to say that it seemed to justify his remark that the Bill was not only obscurely drawn, but that it was drawn with designed and contemplated obscurity. The clause, if put forth in its naked deformity, would appal the people of this country; but the ingenious drafter of it had so framed it that no one reading it could understand what it meant. The right hon. and learned Gentleman the Member for Dublin University (Mr. Gibson) did not know what it meant, and apparently the Attorney General for Ireland, who answered him, did not know what it meant; and when the Chief Secretary for Ireland attempted to explain it nobody in the world could tell what he meant. It was by no means certain that the construction intended by the Government was the right one. A County Court Judge reading the clause would naturally assume that a tenant who received so many advantages would give so much the more for them; but that was not the view of the Government. He supposed the clause meant this—that in fixing a rent they were not to take into consideration anything the tenant had already—they were not to make the tenant pay for what was his own property already. They were to consider what rent a solvent tenant would pay, &c., at the same time having regard—there was no phrase so vague as "having regard"—to the tenant's interest in the holding. The tenant's interest was to be estimated with reference to various considerations. First, with reference to Ulster tenant right, where that existed. That was not unreasonable. It would certainly be unjust to make the tenant pay for his own property. But what followed? In sub-section B regard was to be had, in cases where Ulster tenant right did not exist, to the scale of compensation for disturbance provided—except so far as any circumstances shown in evidence might justify a departure therefrom—and to the right, if any, to compensation for improvements effected by the tenant or his predecessor in title. Now, he had no objection to taking into account, in the fixing of the rent, the improvements the tenant had made — a tenant, indeed, ought not to be charged rent for the improvements he had made; but why in the world should they make a deduction from the rent for the compensation for disturbance which the tenant might receive? What was the compensation for disturbance? It was defined in Clause 5 to be where the rent was under £30, a sum not exceeding seven years' rent; where the rent was under £50, a sum not exceeding five years' rent; where the rent was under £100, a sum not exceeding four years' rent; and where the rent was £100 or upwards, a sum not exceeding three years' rent. What was the unhappy County Court Judge to do in this? Could he avoid bringing into his calculation the maximum compensation for disturbance? If he fixed the maximum compensation for disturbance, what justice was there in allowing a tenant the maximum compensation for disturbance in cases where he was never disturbed at all, where he himself had resorted to the tribunal? He repeated, not only was the section obscure, but it was designedly obscure; and if they got rid of its obscurity they would find that it was monstrously and flagrantly unjust. He asked, how could they justify this interference with the rights of property, this total destruction of the freedom of contract between landlord and tenant? Nothing could justify it but an overwhelming over-mastering necessity. And where was this necessity—where were the benefits this Bill would confer? Was this Bill likely to increase the livelihood of the poorest of the people in Ireland? Of course, to a certain extent, by diminishing the rent where it was unfair there would be remissions; but would these remissions be likely to any great extent to increase the livelihood of the very poor in Ireland? He should say not. It was perfectly obvious they might decrease the rent; but when a bad time came it was not a question of rent, but of living with the tenant. In a bad time he could not live if he had the land for nothing. The provisions of the Bill, if carried into law, would, it was said, prevent the imposition of exorbitant rents. Instead of that, he contended the effect would be perfectly contrary, for this reason—the hunger and greed for land, which was one of the curses or misfortunes of Ireland, would not be diminished. There would be as many competitors for a bit of land as before, and the landlord would say, if he let that bit of land, what would be the result? He could never raise the rent unless he ran the risk of creating a statutory tenancy of 15 years to recoup himself. Would this relieve the labourer? Very little was said about the labourer in this Bill. Had he been omitted because he had no vote? He hoped not. The labourer depended greatly upon the prosperity of the landowner. But if they crippled the resources of the landowner and prevented him improving his land, how could the labourer prosper? This Bill would obviously and seriously discourage the expenditure of capital in Ireland. What remained? Could any man show any advantage from these alterations in the law of landlord and tenant in Ireland? Was it not obvious that the alterations of the law proposed were solely and simply for the purpose of satisfying the clamour of the Land Leaguers and that portion of the population of Ireland which the Land Leaguers had contrived to render discontented and disloyal? Would the House approve of these violent alterations in the law of landlord and tenant for the purpose of satisfying a small portion of the population of Ireland which was at present discontented? It was an endeavour which, if they made it, would never be successful, for they would never satisfy the discontented portion of the population by this measure or any other. And for the purpose of trying to do that which they could not do, were they to inflict a grievous wrong, an irreparable injury, upon the landlords of Irelands, who had always shown themselves, he thought, the most intelligent, certainly the most loyal and useful subjects of Her Majesty in that country? And were they, for the sake of doing this, to put a stop practically to the prosperity of Ireland? He hoped not, and he, for one, would certainly vote against the Bill unless those portions of it which related to alterations of the law of landlord and tenant were omitted. He would vote for it if those alterations were omitted. [*A laugh.*] The hon. Gentleman laughed. He thought his proposal was a reasonable one. He would vote against the Bill if the alterations which he suggested were not made, because he thought it was a bad, unwise, and impolitic measure, a measure which was totally unnecessary. He should vote against it because he was a Conservative. The principles of the Party to which he belonged demanded that he should vote against any measure that introduced an unnecessary infringement of the law of the rights of property, and especially which introduced an unnecessary infringement of the law of property for the purpose of truckling to a discontented portion of the people of Ireland.

MR. JOHN BRIGHT: Sir, notwithstanding the somewhat strong assault which the hon. and learned Gentleman has made upon this Bill—strong in intention—I am willing to admit, and I do it with pleasure, that on the whole, during the debate which has taken place upon it, there had been manifested a feeling which is as satisfactory to me as it is, I think, to be commended by all who judge the House of Commons in regard to it. The right hon. and learned Member for the University of Dublin (Mr. Gibson) made a rather fierce attack at the beginning of the debate, and the noble Lord the Member for Haddingtonshire (Lord Elcho) gave us a great deal of impassioned oratory of his sort against the Bill; but notwithstanding these particular speeches I think the debate, on the whole, has shown that the House is sensible of this truth—that we have before us a measure, not extraordinary in the sense of the hon. and learned Gentleman, but a measure such as we rarely have—one on which depends, to a large extent, the social interests of Ireland, and, I believe, also on which depends, to a large extent, the political interests of the United Kingdom. We have heard from many of the speakers, and first of all from the noble Lord the Member for Haddingtonshire, and notably from the hon. and learned Gentleman who has just resumed his seat, a good deal of the question of political economy and English usages with regard to this question of Irish land. But we must bear in mind that even with regard to England there is a very large party in this country, and a large Party in this House, who believe that the English land system is far from perfect, and that before long it will require to be considerably amended. Even a noble Lord who has this day been instrumental in selecting the Leader of the Conservative Party in the other House has himself brought in, last Session and this, Bills making considerable changes with regard to laws affecting land in England. But if we turn to Ireland, where landlords for the most part are very much the same as in England, we find there that the whole system has broken down entirely beyond recovery. The hon. and learned Gentleman talked a great deal about the unnecessary changes we propose; but he has not told us in the least what would happen if nothing were done. He has not told us what his Party would do if they came into power with regard to the present condition of Ireland. In point of fact, it seems to me that the hon. and learned Gentleman knows nothing whatever of the past history of Ireland with regard to this question. He is ignorant, not only of the past history, but of the present condition of Ireland, or else he could not have spoken in so jaunty a manner of the opinions of the people of Ireland, and of the absolute folly—for in his language he went pretty nearly as far as that—if not the dishonesty of the Government in proposing a measure like this to the House of Commons. I may assume that his feeling is most unfavourable to us. He not only said that certain clauses in the Bill were complicated and difficult to interpret, but he went so far as to say that they were so drawn designedly. I must say that is a charge which I think, in my Parliamentary experience, I have never heard before made from one side of this Table against Members on the other side. Now, if I were to give the hon. and learned Gentleman a lecture, I should begin by telling him what a good many Members of the House know—that in Ireland land, from certain causes which are not difficult to discover, is the only thing for the employment of the people with the exception of some portion of the country in the North; that the income for the maintenance of their homes, and whatever comfort they have or prospect of saving money for themselves and their families, comes from the cultivation of the soil, and scarcely at all from these various resources to which the people of Great Britain have recourse in the course of their industrial lives. And I should tell him more than that, something of which he is evidently quite ignorant, that the land in Ireland has for several centuries been the cause of constant discontent and disloyalty and crime. There can be no doubt about that. If the Land Laws of Ireland are perfect—if no change can be made except that little change to which the hon. and learned Gentleman is willing to consent—that gradually, as a tentative measure, a few or some tenant farmers shall be made occupying owners of land—if that be all that is necessary in his opinion, how can it be that for two or three centuries at least within our own accurate historical accounts the condition of Ireland has been one of constant discontent, of constant disloyalty, and of frequently recurring crime, and entirely, as far as we know, in connection with the landed condition of Ireland? Now, the hon. and learned Member ventured on the use of a word which I think was brought into this debate by the right hon. and learned Member for the University of Dublin (Mr. Gibson), and he said—"What a dreadful process of confiscation the Government are entering on under this Bill!" Sir, if he had studied the history of Ireland he would have known that within the last two or three centuries there have been many acts of confiscation of the most undoubted character, and that probably there is not an estate in Ireland, from one end of the country to the other, which has not been subject to that very unpleasant transaction. The vast estates that are held in Ireland are estates that were created mainly at the time and in consequence of the confiscations of which we read in Irish history; and under those confiscations and by those great grants of land there was created that English garrison in Ireland which it was hoped would tie the two countries together so that no power of law, and no insurrection, could possibly tend to separate them in time to come. Another thing the hon. and learned Member might have remembered is that it is said, and I believe it to be true, that six-sevenths —that is, six acres out of every seven acres of land in Ireland—are in the possession of owners who differ entirely in their church connection and in all their religious association from the people. I do not say that that of itself would be a cause of disunion and of evil; but it is one of the causes, acting with others, which have produced so much disturbance in Ireland. Now, if this be so, may I not ask the House whether it is possible, in these circumstances, that there could be union and sympathy between the different classes in that country? Every incident of ownership, of religion, of law—every fact in its history almost—wars against that sympathy and that union which we should like to see between all classes in every part of the Kingdom. And all this has been perpetrated by a law, I undertake to say, ten times more violating all the principles of political economy than any of the clauses of this Bill. For example, if an owner of one of those great estates died intestate during the last two centuries, what has been the result and the consequence? If he left sons, one son absorbed the whole of the property, and the other sons and daughters were driven from their paternal home, disinherited and penniless, unless in those cases where some paternal affection in some degree thwarted and baffled the intended action of the law. Of that there can be no kind of doubt. The hon. and learned Gentleman knows a good deal about law, if he does not know much about Ireland, and I am sure he will admit that I am not over-stating that case. Well, is that consistent with economic law? I will use the hon. and learned Gentleman's own language, and ask is it consistent with justice, or right, or common sense that such laws should exist? But they do exist. And the hon. and learned Gentleman and his Friends on that side, and the Party with which he is proud to act, I undertake to say, if we proposed to remove those laws, would be just as zealous in opposition to us as he is to-night in opposition to this Bill. The House should bear in mind this—that a law, whether it be good or evil, begets its own good or evil. And although the law which we call the Law of Primogeniture acts only in certain cases—namely, in cases of intestacy—yet it begets a custom and a practice which become almost general throughout the whole country where such a law is permitted to exist. ["Question!"] No doubt, that is very near the Question if it is not exactly it. But you have besides all this your system of entails, your practice of settlements, the intricacies of the law, which the hon. and learned Member is thoroughly acquainted with, and the enormous and unnecessary cost of all transactions connected with the transfer of land. Well, all this in Ireland is done by force or permission of law, and it has had the effect of creating practically a huge land monopoly, the influence of which is felt over every part of that Island. A monopoly, I think the hon. and learned Gentleman probably will admit, is the greatest enemy of economical law. I may relate an incident which occurred in 1849, when I was in Ireland, to illustrate how this law acts in that country. I was speaking to a gentleman whose acquaintance I made in Dublin—a man of great information on all matters connected with landed property in Ireland—and I asked him why a mutual friend had not bought the land on which he had recently built a new house. He said, "Bought the land? He could not have bought it. It belongs to Lord somebody, who has property in the neighbourhood." He continued—"I have been in Ireland all my life, and I know as much, perhaps, about land there as anybody, and I have known of a great estate being sold in Ireland; but I have not known of the sale of a farm or of a fee. Such a thing is scarcely known in the whole country." He mentioned two baronies in the county of Wexford, and he said that the owner of an estate had died; that he left daughters only. In the case of daughters the Law of Primogeniture does not apply, and the consequence was that it was thought advantageous to the daughters that the estate should be sold, and some sensible person suggested that the farms should be offered to the tenants. The result in that case, the only case he knew of in his experience, was that the estate was divided and offered to the tenants, and many of the tenants purchased their farms. I afterwards went down to the county of Wexford with a friend with whom I was staying in Dublin, and who was also well acquainted with Irish affairs, and we visited those two particular baronies. We enlisted the services of an intelligent priest, who went with us to call on several of the tenants, and we called on one of them—a fine old man named Stafford, who was sitting in a very comfortable arm-chair, in a very comfortable room, in a very solid and well-built house. In conversation we asked Mr. Stafford how he, living on that farm, had so much better a house over his head than we had seen in connection with any farm since we had left Dublin. He said that the estate was sold, the farm was offered to him, and he bought it; he then, not being liable to be disturbed, and not in any danger of having his rent raised, did not like to continue to live in a poor house, and, therefore, he built this good solid stone house. I said—"Mr. Stafford, if the great bulk of the commoners of Ireland were in your condition, would not be disturbed, and could not have their rent raised, and were owners of the farms, what would be the result?" He almost sprang out of his chair. Although an old man, he was struck with a momentary enthusiasm; and, lifting his arm, he said—"Sir, we would take hunger out of Ireland." I think that anecdote contains very much the whole story of Irish poverty and Irish suffering. What we want to do and attempt to do partly by this Bill is to drive famine, and poverty, and suffering, and discontent from Ireland, and I believe that can only be done by measures such as this, which will give to the tenantry of Ireland that which Mr. Stafford possessed — the security of their holdings and security from needless and unjust increases of rent. Now, we have in the past history of Ireland these things—on the one side, repeated confiscations, penal laws, Acts in restraint of the Constitution, Coercion Acts in many and hateful forms; and we have recently had an unhappy acquaintance with them. On the other side, we have suffering, discontent, and crime, and I am sorry to say in some cases crime such as the records of savages, if savages have records, can hardly excel for wickedness and cruelty. All these are things which ought to shock Members of the Legislature and draw them with irresistible impulse to find some mode of changing the condition of the people and changing the history of Ireland, which, during our own time, has not been creditable to the Government of the country. At this moment I think one thing will be admitted—that Great Britain desires and is anxious to be just to Ireland and generous. I believe if the people of Britain were appealed to in any form you like, on any given Bill which they thought or could be persuaded would be likely to change the condition of Ireland—I believe the overwhelming majority of all classes would be in favour of it. If that be so, I venture to say that the Members of the Government sitting on this Bench, and on another Bench in "another place," are as anxious as men can be to deal with Ireland in that spirit, which I have just now said is the spirit and desire of the people of Great Britain. But, notwithstanding all this, it must be admitted, though the hon. and learned Gentleman the Member for Preston (Sir John Holker) does not appear to be conscious of it, for he says there is only a very small number of people in Ireland anxious for change and discontented, and that they are acted upon by a handful of agitators who do a great deal of mischief. I am not going to defend the agitators against whom he is disposed to complain; but I am ready to deny that it is a small class of the people of Ireland who are anxious that some change should take place with regard to the law affecting the tenure of land. At this moment Ireland is still disturbed, I am afraid, almost from its centre to its circumference, and it appeals to the Imperial Parliament with a voice as loud and united as it ever has done before, and asks, if possible, that some remedy should be applied to their case. What I have said up to this part of my observations I have said to convince the House of what I am myself deeply convinced, that this is a great and solemn question which is brought before us. It is for the House to rise to it. We cannot rest as we are. We must either go forward, as we proposed to go forward, or we must go backward, as probably the hon. and learned Gentleman would recommend, if, as I understand, he has no sympathy with the legislation to which Parliament agreed in 1870. But I say you cannot go back. If you do not go forward you must govern Ireland with constabulary and a great army quartered in that country; and you will be driven by-and-bye to suspend trial by jury, to put an end to the freedom of the Press, and to suppress public feeling. All these are in the career which the hon. and learned Member for Preston asks the House to follow him in. I am against all that. I believe we must go on in the direction we are now endeavouring to pursue. Therefore, I would ask, is there any Member of this House, except the hon. and learned Member, who thinks there is no necessity for any present legislation? He made an exception which I accept. He thought a certain number of tenants should become owners of their farms. But, except that—I am not sure that he did not wish some emigration — he seemed to be against everything that this Bill proposes. Now, what is it that is asked for and what is needed? The Irish farmers do not ask for a great system of confiscation to balance the confiscation of ancient times. Let us for a moment forget certain violent and unreasoning, and I think very mistaken and evil things, that have been said by some of these agitators, and by some whom we are accustomed to see opposite us in this House. Let us forget that, and I say the Irish tenant farmers up to a recent date have been as punctual in the payment of rent—in the discharge of the duty they had contracted to perform—as the tenants in any country in the world. They have not become at once demoralized and an unfaithful class of men. Therefore, I am at liberty to say, and say it positively, that the Irish tenants do not ask for compensation to balance confiscation of past times. But they ask for a law that will give them adequate security with a fair and adequate rent to the owner. If you had for an audience the tenant farmers from Ireland, as we all see in travelling, at the stations and fairs and so forth, and put it to them—"Are you willing to give an adequate rent to the owner on condition that you shall gain adequate security?" I believe you would get only one answer. They asked for that and no more, and I do not believe they will be content with less. With regard to fair rents—on which the hon. and learned Gentleman has been almost as confusing as the clause he condemns—there is something more to be said. With regard to the question of fair rent, I did not rise at all for the purpose of going into what I may call the legal part of the clauses of the Bill. Any Member of this House who heard the remarkable speech of my right hon. and learned Friend the Attorney General for Ireland must have felt that whatever there was of difficulty in the proposals of the Bill, with scarcely any exception, he fairly met and explained. I looked at the countenance of the right hon. and learned Member for the University of Dublin (Mr. Gibson) as the speech went on; he will admit that it was a remarkable speech, and a fair and great defence of the clauses of the Bill. I should therefore feel that I was wasting the time of the House if I were to go into the minute details of the clauses. I remember that we are discussing the second reading of the Bill, and we are not in Committee. It is well we have these discussions on second readings, and that these explanatory speeches have been made; for when we go into Committee, and have to deal with the clauses one after another, we shall find ourselves far more competent to discuss the Bill than we otherwise should have been. With regard to the question of fair rent, a good speech was made by the hon. Member opposite (Mr. Brodrick) from his view of the case. It was delivered in a manner and with a temper which will recommend him very much to the House again if he should think it necessary to discuss the question further. He pointed out what would happen; he said that the day after the Bill passed 400,000 or 500,000 tenants would have the power of immediately bringing their landlords before the Court. Well, everybody you meet in the street has the power of bringing you before the magistrate. My view of the operation of that particular clause is that, in reality, the rents in Ireland will, for the most part, in nine cases out of ten, be fixed very much as they are now. It does not follow that there will be no difference in rents; increases which are harsh and unjust will no longer take place. The effect of this law will be to change the position of the contracting parties; it will improve the position of both. The tenant will now have a tribunal to which he can have recourse if necessary. The landlord will know the tenant will not rest satisfied with any unreasonable rent the agent proposes; at any rate, the tenant will have the opportunity, if he chooses, of calling in the judicial arbitrator to decide between them; and the effect of that tribunal being established by law will be that the minds of both landlords and tenants will be affected by it. It will be the interest of neither of them to go to the Court, and I believe they will almost universally, without going to the Court, make agreements with which reasonable landlords and tenants alike will be perfectly contented. That, at all events, is my view of it. The hon. and learned Gentleman (Sir John Holker) was serious about fixity of tenure. I am only surprised he should be so alarmed about these changes, because, for the most part, they are recommended by both the Commissions of Inquiry. I was astonished that the hon. and learned Gentleman spoke so strongly upon questions about which he could not be so well informed as the two Commissions. With regard to security, the purpose of the Bill is to give, not perpetual fixity of tenure, but security of tenure during a considerable term, with an easy, accessible method of renewing it. I believe the operation of those clauses will be generally to give the tenant farmers of Ireland, to a large extent, the security my old and venerable friend Mr. Stafford had; and the tenants would be no longer afraid that they might soon be turned out of their farms, or that they would have their rents raised until they would not have a blade of grass on which to feed cattle. I come to the last point—the valuation of the holding and of the improvements. The Bill is intended to guarantee to the tenant the value of his improvements; and, more than that, that he should have a certain, at present undefined, value in the holding of which he is in possession. This is what takes place throughout the whole Province of Ulster. It has not destroyed the landlords; it is a curious thing that the Province of Ulster is the only Province in which, at this moment, landlords have any political authority whatever; so that the argument of the hon. Member opposite failed. It does not follow, if adequate security is given to the tenant, that the landlord will be much less a landlord than he is now. Unfortunately, such are the relations of landlords and tenants under the present system that the landlord has lost almost all political influence; I must say he uses it badly when he has it. I cannot say that I very much regret that he has lost it; but I regret very much the circumstances which have caused him to lose it. The landlords, I hope, will obtain as much rent as they are likely to obtain if this Bill does not pass. I should advise the landlord, if he has any regard for his own interest, not to reject propositions which, if not accepted, may not be followed hereafter by anything he may like better. The power of assignment or sale is that which is intended by the clause to which the hon. and learned Gentleman referred with a good deal of complaint. Now, it is said, the Bill makes a concession to tenants. Nobody denies that, least of all those who have taken so much pains to frame it. It does make concessions to tenants; but at the same time—and that is one of the causes of the supposed intricacy of some parts of the Bill—there are safeguards introduced, so that, as far as it is desirable or possible, with justice to tenants, the interests of the landlords should be preserved. The idea of the English system is a complete delusion—I speak, of course, of Ireland. I am not speaking of the English system in England. It will remain in England until Parliament, guided by public opinion, thinks it necessary to make a change. But I have no idea or suspicion that such changes as this Bill proposes for Ireland will ever be needed in England. In Ireland you have the questions of race, religion, and of absenteeism; you have the circumstance of the greatest estates being continually under the management of agents, and, in fact, everything in Ireland is at war with the English system. Therefore—there is no escape from it—you are tempted to have recourse to laws which are very different from the laws which we have in England, and which, I trust, will be never necessary in this country. Hon. Members assume that we are giving a great deal to the tenant, and that we are taking all this without any compensation from the landlord. It is astonishing what a universal opinion there is that compensation from a public fund is a blessed thing. It is common in this House to ask if there is any compensation when any measure is proposed which touches any individual interest, but which, at the same time, promises to be of the greatest public benefit. If you complain that the Bill gives too much to the tenants and takes all that it does give from the landlords, I should make this answer—If, at this moment, all that the tenants have done were gone, and all that the landlords have done were left, that is the sort of map I should very much like to see, for its publication would finish this discussion in five minutes. Well, if that were to take place, if all that the tenants have done were swept off the soil, and all that the landlords have done were left upon it, the land would be as bare of house and barn, fences and cultivation, as it was in pre-historic times. It would be as bare as an American prairie where the Indian now roams and where the White man has never trod. [*A laugh.*] An hon. Member laughs, thinking that an absurd statement. [Mr. TOTTENHAM: Will the right hon. Gentleman give his figures?] The hon. Gentleman asks for figures. We do not often put figures on maps, and I was drawing a map. Surely the hon. Member knows that I am stating little more, if indeed anything more, than was stated in the Reports of the Commission. I may give what was stated 35 years ago by that greatest of all the Commissions—the Commission presided over by Lord Devon. It is not necessary that you should read the thick Blue Book. If you take the digest — it is in two small octavo volumes, which I studied more than 30 years ago, and which I have studied again within the last few years—you will find that the statement I have just made is merely an amplification of the statement made by the Devon Commission. I say I believe, and I think I am within the mark, that nine-tenths, excluding the towns, of course, of all that is to be seen on the farm land in Ireland, the houses, barns, fences, and whatever you call cultivation, or freeing land from the wilderness, have been placed there by the labour of the tenantry of Ireland, and not at the expense of the landlords; and I believe, too, that in the matter of rent, landlords in hundreds, probably in thousands of cases, have over and over again received the value of that which the tenants have placed upon their farms. Now, the parts of the Bill to which the hon. and learned Gentleman objects so strongly are those which, in my opinion, are necessary as a remedy for the present existing burning ills in Ireland. The other point for which I have a special affection, for reasons which the House will understand, is that which intends to convert, to a very large extent I hope, tenant farmers into farmers who are owners of their own land. In 1870 that principle was adopted by both Houses of Parliament, I believe without any division; it was adopted also in arrangement for the sale of the property that came into the possession of the State when the Irish Church was disestablished. My right hon. Friend the Member for Reading, now First Commissioner of Works, had a Committee of this House to inquire into this question. That Committee reported unanimously in favour of this project, and reported by a majority in favour of the mode of doing it which this Bill has adopted. I think it is the case that the Irish tenant farmers—the future proprietors, I hope, thousands of them will be—that they are greatly indebted to my right hon. Friend for the extraordinary pains which he took and devoted to the examination before the Committee, and the promotion of that great object of the Bill. Thirty years ago I asked Parliament, not in a speech in this House, but in speeches in the country, that this course should be adopted; and I believe now that if it were possible to make so great a change, if it were practicable, it would be of more advantage to Ireland and its population than all other measures that it is possible to conceive of or to attempt if we were to transfer three-fourths of all the tenants of Ireland from tenants into actual owners of their land. Now, if the House will allow me, I should like to give them two or three figures which I extracted the other day from a despatch received at the Foreign Office from Lord Dufferin, our Ambassador at St. Petersburg. Lord Dufferin there describes what has been done in the Russian Empire; and the hon. and learned Gentleman, who used the word "appalled" with regard to this Bill, would be astounded and appalled, no doubt, at the figures which Lord Dufferin gives. I beg the attention of the House particularly to them, for they astonished me so much that I wish everyone else to partake of the same feeling with regard to them. He says that out of 10,137,000 farmer serfs — that is, serf families, which would make I do not know what population—8,584,000, or 85 per cent, are now absolutely owners of the land they occupy — that will be 15 times as many as the whole tenant farmers in Ireland. He says, further, that of these only 644,000 redeemed or purchased their land without some help from the Government. They have redeemed what they have had from the Government, and they are now absolute owners of their land. Then, he says, 1,550,000—which is three times the whole number of tenant occupiers in Ireland—1,550,000 have not yet redeemed their land. Now, that is the process which is going on in Russia. There it is an autocratic Government, and it was not necessary to consult contending Parties in two Houses of Parliament. It might have been as well for Russia if that had taken place in other things; but in regard to this matter, there came the hand of Providence, described as a hand stretched out from the clouds—the providence of the late Czar. By a decree of his own, and by the action of his Ministers, that enormous, that stupendous, and that absolutely unequalled change has been made throughout a great portion of that Empire. I think that that is a just appeal to us to do something, although we cannot aim to do so great a thing as that. Now, I should like to make one observation about these proprietors. I have always held that the landed proprietors of Ireland were in a most unsafe position, because they were so few, and the occupying tenants so numerous. There are 500,000 or 600,000 tenants who make public opinion, be it for good or evil, against 10,000 or 14,000 proprietors, who can by no means stand up against it. We find now the crisis is come which so long ago was foretold, and we find what is the truth, that landed proprietors in England and Scotland would do well to take to heart this fact—that the opinion of property is always in favour of property, and that it is property's only great and certain safeguard. Depend upon it, the opinion of people who have no property is not a very great safeguard to people who have property. If land is to be made secure in Ireland, it must be by a system which, by dividing and dispersing land, will furnish it and its rights with a multitude of defenders. That is exactly what one of the principal portions of this Bill is intended to secure to the landed proprietors of Ireland; and the time will come, and is probably not many years removed, when they will admit that this particular part of the measure is quite reconciled to the other parts of it, and when they will certainly attribute to it a great portion of the tranquillity and comfort which they enjoy in the possession of their property in that country. Now, where is land most secure? It is most secure in France, and in those countries in Europe where it is most divided; and I venture to say to the House of Commons, with the most perfect belief in its truth, that there is nothing that Parliament can do, and scarcely anything that it can spend, that will not be amply compensated by a great and widespread liberality with regard to this particular part of the Land Question. The hon. Member for Cork has found some fault with this Bill in his speeches outside; but I will only refer, for the moment, to one or two points to which he adverted, I think, in a manner hardly reasonable or fair towards the Government. He objected very much to what is said about emigration; and he objected, further, that nothing is said about the labourers. Now, in regard to emigration, no Member of the Government has any idea that any clause of the Bill indicates anything of the kind as that any single Irishman cr Irishwoman will be compelled to leave their country and cross the Atlantic. There is no such intention as that. In point of fact, one would say there is hardly any occasion for any inducement of that kind, seeing what is going on at this moment. Last year, 95,000 persons went from Ireland; and, if the reports in the newspapers are correct, emigration is going on now even at a greater rate than it was going on last year. I will put it to the hon. Member for Cork—but it is no credit to England that he should have to answer it, as I think he will have to answer it—I put it to the hon. Member, if all the great mercantile steamers of England—such fleets as the world cannot produce—were to anchor at Cork or at Galway, and to offer a free passage to all the families of the population of Connaught, how many does he think would remain behind? Probably the whole population of Connaught—I have not the least doubt that one-half of them—would find their way to the United States. It is a country which opens its doors to everybody. The Minister of the United States in this country (Mr. Russell Lowell), a man who has put as much wisdom as wit in his description of that country, says—

> "Whose free latch-string never was drawn in
> Against the poorest child of Adam's kin."

And there is room there for the whole population of Connaught. I should be very sorry to see them all go. I should not like it to be said that it was possible in this age, or in our time—that it was necessary to expatriate from Ireland so many scores and thousands of its population. But in every family emigrating, although there is hardship, from the parents to the children, it is a deliverance from a future of poverty and suffering, if they remain where they now are. Therefore, while the Bill does not propose to offer any inducement, except such inducements as the people now have, to any single Irish family to emigrate, yet I am bound to say I believe it would be far better for a great number of those families to be settled in the better parts of Canada and the United States than to remain where they are, or to be removed from where they are to any of those tracts of land which, at a certain expense — I dare not say the exact amount, for it is not easily to be ascertained—might, in Ireland, be made fit for the habitation and cultivation of some of them. So I trust that those families who will go and are going, notwithstanding the violent passion which has been created in America by many statements that are not true, and many that are exaggerated—notwithstanding that, I trust that there are now persons going to the United States who will hear from their own country that much of its misery has departed, that a feeling of justice is entertained, and that the disloyalty and discontent we now so deeply regret have been, for the most part, removed. With regard to the labourer, to whom the hon. Gentleman the Member for Cork refers, there is nothing that can do so much good to him as that which will induce the farmer of Ireland to cultivate his land better than he does. The Bill does nothing for the houses of the labourer. The wages of labour in Ireland are much higher than they were; they have been, in the last 10 years, much higher than they have ever been at any former period; and I believe that the demand for labour has increased. But the houses are, as the hon. Member for Carlow (Mr. Dawson) has stated, miserable; and it is not a very easy thing to put clauses in an Act of Parliament with a view of enforcing the building of many thousands of houses all over Ireland. They must be built by somebody, either with the consent of the landlord or by raising the rent. There are, therefore, other interests to be consulted; and if it be possible to do anything by any more means that would be likely to be practicable, I hope there will be no diffiulty in doing it by some other measure, or by adding a clause to this Bill. The hon. and learned Gentleman and others have said that this Bill is an intricate and complicated one. The question is admitted, he has admitted it himself, to be a very difficult one, so difficult that he not only did not understand the clauses of the Bill, but I maintain that he did not in the least understand the question. The Bill, I may say, without any—what may I call it?—without any special praise to the Government, is a child of very much anxiety, of very much consideration, and of very many discussions, and very many amendments. I believe that it would have been difficult to give to any measure a more perfect and fuller consideration than this measure has had on the part of the Government, as far as it was possible to give it. We have endeavoured to make it worthy of the Government, and of the Parliament to which it was offered, and we hope that it will do good to the people whose interests it is intended to advance and to secure. As to those people, if I had 10 minutes more, there is one thing I should like to say. [*Cries of* "Go on!"] We have heard to-night a reference to their virtues and their vices. I shall say nothing of their vices—all people, I think, almost have a sufficient number of critics, and it would not be of any advantage that I should add myself to the number; but with regard to their virtues, there are two things that have struck me very much. The poor people who live in Connaught, and about whom the hon. Gentleman spoke so feelingly at the beginning of his speech, what are they? They may live in hovels scarcely better than wigwams; they may have three or four acres of land, and land so poor that it seems almost impossible for them to live on it, and concerning which Mr. Tuke says in his pamphlet, quoting a Yorkshire farmer who visited Connaught, that he saw in one particular district what seemed to be farms that had on them three or four times the original value of the land, put on them entirely by those small tenants. But what are those tenants? They come over to this country during the harvest, travelling there and back at least a thousand miles; they come to Dublin, they cross the Channel, they make their way to some remote farms in England and Scotland, they work with a zeal and energy not surpassed by any English or Scotch labourer. There is one great farmer in Northumberland who last autumn told me—and he was one of your Commissioners—that he believed that these labourers, working as hard as they did for many days, contrived to live on very little. I said that they would live on sixpence a-day, and he told me that he thought that they lived upon less than that. Every shilling, every penny that they earned, they saved. Having in a very good harvest made, perhaps, £10 or £12, they make their way back to Glasgow or Liverpool, cross the Channel again, cross Ireland, and arrive at their own cabins with this little bit of treasure that they have worked so hard for. The men who did that were not men without virtue—I take the ancient meaning of the term virtue. These men who can go so far, can live on so little and save so much, who come back with such devotion and such eagerness to their homes and families, depend upon it, under better and more favourable circumstances, they might become a very admirable portion of the population of any country. And if you will follow the evidence of what takes place in America, you will find what they do there. They have sent back to this country large funds to assist their friends here in Ireland—multitudes of them—in crossing the Atlantic. They have sent back many—I do not know how many, but many millions during the last 30 years, since the Famine—it is impossible to say what, but an enormous and an incredible sum. Shall we think nothing of that people who regard their families with such affection, and their country, too, with so much affection—listening to every wail of sorrow which sometimes comes from Ireland; and listening, perhaps, also, to some of the unfair and exaggerated statements made by certain speakers. But, still, they find their affections are aroused and their sympathies are excited. The Irish domestic servants, the farmers, and the Irishmen who build their railways, have subscribed millions and millions to help their countrymen at home, or to bring them across the Atlantic to the United States. I say, then, of that people, that they are a people we ought to have some regard for; that we ought to feel that of this people something ought to be made better than a discontented, a suffering, and a disloyal people, as, to a great extent, they have been, and now are. And now, what shall we say about this Bill? If that portion of it which deals with that class of cases which the hon. and learned Gentleman thinks is so little, that portion of the Bill which deals with landlords and tenants is worked with fairness—if the purchase clauses and powers are worked with energy—I dare hope and believe that it will be found to be a measure of healing and of blessing to the Irish people. I ask hon. Gentlemen on every side of the House not to imagine that the Bill has not been framed with a great intention and honesty for a great purpose. Let them, as far as they can, support the Bill and the Government who have introduced it to the House. This very night, and every night, the House prays to the Highest—and for what? The language always strikes me as touching and beautiful. We here, representing the whole nation, pray to the Highest for the peace and tranquillity of the Realm. It is for the peace and tranquillity of the Realm that this Bill has been drawn up and introduced to the House; and it is in the hope that if it passes it will tend to the great end that we, not with fear but with confidence, ask for it the acceptance and the sanction of Parliament.

Sir R. ASSHETON CROSS: Sir, at this period of the evening I shall detain the House but a very short time. I join in the last words that fell from the right hon. Gentleman who has just sat down, in which he expressed the hope that the peace and tranquillity of the Realm may endure, and I sincerely trust that no words of mine will tend to disturb it. I cordially agree with him in rendering a just tribute to the generosity, high feeling, and temperament of the people of Ireland, and, for my own part, would not hesitate to adopt any measure for their benefit, provided it was consistent with the laws of justice and right. I also believe that his remarks upon the subject of emigration, with which I concur, will receive the approval of my Colleagues. Further, I go heartily with him in almost every word that has fallen from him with regard to the provisions of the Bill which are directed to making the occupying classes owners, and not tenants, of their farms. I feel, however, that we can hardly call that man an owner who has borrowed three-fourths of the purchase money of his land from the State, and the remaining fourth from the money lender. And, while I believe it would be right to pass that portion of the Bill in an improved form, I think care should be taken that we do not put the occupier in a worse position than he is in already—that is to say, that, having borrowed three-fourths of his money from the State and the remainder at enormous interest from the money lender, the State should not cause him to suffer more than he would have done at the hands of the landlord. I should like to hear, before the debate closes, what would be the position of an owner who had bought under this Bill, and who in bad seasons—recurring bad seasons—was unable to pay the interest on the money borrowed in the manner described—would the State evict him as recklessly and ruthlessly as the landlords are, by some, supposed to have done? Before the end of the discussion, I hope the Prime Minister will inform the House in what way it is intended that the owner who is unable to pay his rent, owing to the interest which he has incurred, is to be protected. I think we ought to approach this part of the question in a manner somewhat different from that of the right hon. Gentleman the Chancellor of the Duchy of Lancaster. The right hon. Gentleman has said a great deal about the landlords; but what we have been told by the Prime Minister, the Chief Secretary to the Lord Lieutenant, and in the Reports of Committees, is that, so far as inquiries have extended, the landlords as a body stand acquitted. I have no doubt that those who have studied carefully the evidence produced before the Commissioners will see that almost all the cases of hardship that have occurred where the landlords were not the first to apply a remedy were on those estates which were bought under the Encumbered Estates Act, in the way of commercial speculation, by persons who had been forgetful of the good understanding which has existed so long between the Irish landlords and tenants. It seems to me that the Government, in the course of the long and anxious discussions that have taken place upon this Bill, must have tried to frame in their minds a distinction between the estates held in tenure of the old Irish landlords, and those bought recently in the Encumbered Estates Court. It is, I think, too severe upon those landlords who have not been hard upon their tenants to charge them with the shortcomings of a totally different class. The right hon. Gentleman has said that this Bill has received great attention from the Government, and no one can doubt it. It has been a Bill of great discussion. No one will attempt to deny that it has also been a Bill of great disunion amongst the Members of the Government.

Mr. GLADSTONE: A Bill of great disunion amongst the Government, has it?

Sir R. ASSHETON CROSS: If the right hon. Gentleman is not aware of that fact, he had better ask the Duke of Argyll. It has, moreover, not been framed without some disunion amongst other Members of the Government, although this has not reached the same pitch as in the case of the Duke of Argyll. The right hon. Gentleman who has just sat down has accused the late Attorney General for England of being too mindful of English usages. But I venture to assert, if the right hon. Gentleman will favour me with his attention, that what my hon. and learned Friend said was that he was perfectly ready to adopt all usages, whether in Ireland or in England, provided they were legal usages; but that he was not willing to consent that those things which were matters of sentiment or feeling should be included in the Bill without rhyme or reason, and the landlord deprived of his property for the purpose of handing it over to the tenant. The right hon. Gentleman says that the whole land system in Ireland has broken down, and that some remedy must be applied. But we did not hear any such words from the Prime Minister in all those speeches which he made in Mid Lothian and elsewhere; nor in any of his writings in the reviews is this question referred to as one which rendered an immediate change necessary, except so far as those clauses, commonly known as the "Bright Clauses," of the Act of 1870 are concerned, and to which I should like more attention to be directed than they have yet received. The right hon. Gentleman has delivered a lecture to my hon. and learned Friend, saying that he had forgotten that land was in Ireland the only source of industry and wealth. Why, that was the ground of the argument which the late Attorney General for England pressed at length upon Her Majesty's Government in the course of his speech. I do not think I could have listened to a more unjust accusation, seeing that what the right hon. Gentleman opposite said was forgotten was the very foundation of the argument of my hon. and learned Friend. Then the right hon. Gentleman went on to say that the whole state of Ireland was due to the confiscation which took place years ago. He went into the history of Ireland, stating that about six-sevenths of the owners of the land were of a different religion to that of the occupiers, and touched upon the Law of Primogeniture, with the object of leading us to the conclusion that in consequence of this confiscation the tenants had suffered a grievous wrong. But the right hon. Gentleman had forgotten the main principle, that two wrongs do not make a right. I should like to refer to one or two clauses of the Bill which seem to me to have practically escaped his attention; but, before I do so, I should like to know what is the main object of the Bill? Is it to transfer the ownership of the land from the owner to the tenant? It is, so far as the fifth part of the Bill is concerned; and if that is what the Government have at heart, I am prepared to go with them a long way provided they mean that the new owner shall be the actual owner of his holding, and not simply a borrower of money. I ask again, is the main object of the Bill really to transfer the ownership of land from the present owners to the occupiers; and are the early portions of the Bill simply *modus vivendi* to gain time, or are they the substance, the cardinal points of it, the fifth part being only an appendage about which the Government do not very much care whether it be enacted or not? I will undertake to say that the 1st clause, which says—

> "The tenant for the time being of every tenancy to which this Act applies may sell his tenancy for the best price that can be got for the same,"

is the most dangerous part of the Bill I want to know what this tenancy is? We all understand what it is in those parts of Ireland in which the custom of Ulster prevails; but we have, in the Interpretation Clause at the end of the Bill, an explanation of the word "tenancy" as follows:—

> "'Tenancy' means the interest in a holding of a tenant and his successors in title during the continuance of a tenancy."

The Government believe it to mean that the tenant has something—they do not say what—that is saleable. Upon this point we have had different interpretations, one coming from the Chief Secretary to the Lord Lieutenant, and another from an hon. and learned Member below the Gangway. But what is it that the tenant may sell? Leaving that question for a moment, I ask with regard to this right of the tenant to sell this something—this undefined thing said to be created by the Act of 1870, but which, at the time of its passing, that Act was never supposed to create—what will be its effect?

In a vast number of instances it will be an increase of the rent which the tenant will have to pay. No one can doubt, I suppose, that if this Bill passes into law as it stands, a great many Irish landlords will not be sorry to leave Ireland? Thus, one of the great evils complained of will be increased. But take, for a moment, the case of land in the landlord's own holding at the time of the passing of this Bill. There is a considerable number of landlords who hold land in this way at the present time; what will be the effect of the Bill in a case of that kind? A landlord, we will say, wants to let his land for the first time, and advertises for tenants. One man comes forward and offers £100 a-year for the land, and another £120. At present the landlord, regarding the man who offered £100 as a better farmer, and one who had probably accumulated capital of his own, would naturally prefer him to the man who was ready to pay £120 a-year. But if the Bill passes in its present form that would no longer be the case. The tenant who had been chosen by the landlord at the smaller rent, £100, because he was the better man, would immediately be able to sell his tenant right to the very man who had been rejected, although he had originally offered the higher rent (£120). And the landlord would think he might just as well put the additional £20 into his pocket. The tendency would undoubtedly be that he would choose a higher bidder than under the present system, and the rent would be raised in consequence. Therefore, in that case, the rent of the tenants will undoubtedly be raised. Next, let us consider how the consequences of this Bill will be to raise the rents in the case of existing tenants, and not that of new tenants. Almost on every page of the Bessborough Commission landlords who have let their estates at very low rents are mentioned. There are other landlords, to whom I have already alluded, who let their estates at very high rents; but their tenants have nothing to sell, for they are rack-rented up to the hilt. The case with the low-rented tenants is different, and their landlord, who will suffer the loss, will have to say to himself—"I have this large estate in Ireland; I have spent a large sum upon it; I have let it at low rents to a large number of tenants; I see under this Bill that my tenants, who are very low rented, have as much right to their interest as the tenants who are high rented; I am not going to allow this state of things to pass—I shall raise my rents." That proves my point, which is that the tendency of this clause will be to raise the rents. I have proved it by the admission of the Prime Minister that where the land is already let at a low rent landlords will be induced to raise that rent. Now, I go a step further—to the incoming tenant, who takes possession when the existing tenant has sold out. That individual will have to pay a higher rent, for he will not only have to pay the original rent, but he will have to pay a premium, for rent does not mean the amount for the land paid by the year, the half-year, or the quarter, but it means money paid into the pocket both of the landlord and of the outgoing tenant for the privilege of holding the tenancy for the time being. He will have to pay for the privilege of coming in over and above the value of manures, and so forth. Undoubtedly, the effect of this clause outside Ulster will be to raise the rents. In the case of an old lease farm, in the case of a new lease farm, or in the case of an incoming tenant where the tenancy has once been sold, in every one of these three cases the inevitable tendency of the clause will be to make future tenants in Ireland pay more for their land than is paid now. And now I want to come to the 7th clause for a moment. I thought, after all the explanations that we had had from divers Members of the Government and others, that the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) would have thrown some additional light on this subject. I am sorry to say that we are just as much in the dark as ever; he has attempted to give us a new definition. Putting aside the first part of the sub-section—namely, that which deals with the Ulster Custom, we come to the second part, and we want to know, practically, what it is under that part that the landlord will have to suffer. Well, the right hon. Gentleman has favoured us with a new definition, and it is rather an extraordinary one. He says that what the tenant will have to sell is this—"a certain, at present undefined, value of his holding." That is certainly a charming explanation of a very complicated subject. [Mr. JOHN BRIGHT: Not defined in Ulster.] We are not talking about Ulster. In the former part of the clause, not only is Ulster mentioned, but also any other part where there is a custom or usage; but we are now coming to the places where there is no custom or usage. Wherever there is a custom or usage, of course the case is clear, and we can understand the matter without asking the right hon. Gentleman for an explanation; but, coming to the place where there is no custom or usage, we ask what is it the tenant will have to sell? And we are told, "a certain, at present undefined, value of his holding." Is that to be the only explanation to the County Court Judge? How is the County Court Judge to interpret it? The right hon. Gentleman thinks this is a difficult part of the Bill, and I agree with him, seeing what a gross injustice will be perpetrated by the clause. I am not speaking of this as a matter of drafting or of Committee, for it is a question of deep principle. What the Government have said in the Bill is that the tenant's interest is to be estimated with reference to "the scale of compensation for disturbance by this Act provided." What do you mean by that? When you put in a scale of compensation for disturbance, what did you do it for? You did it in order to inflict a penalty upon the landlord for unjustly evicting a tenant. First you said a man may be fined, say £100, for unjustly evicting a tenant; and now you say he is liable to pay the same sum, not as a penalty, not for evicting a tenant, not because he takes any action whatever, but because the tenant chooses to say—"I want the money and will appeal to the Court." Can anything more unjust be conceived? In 1870 it was said—"We want to prevent tenants being unjustly evicted;" and, further, to the landlords it was said—"If you are going to evict these men, you shall pay this penalty for doing so." Well, the landlord does not want to evict a tenant; but the latter may come forward in the Court and say—"I know my landlord does not want to evict me, and would like very well to see me stay; I do not, therefore, claim anything as compensation for disturbance, but I want to leave—but I wish to have the sum I should have been entitled to if he had evicted me." All this, I must say, has very much astonished me. If I had considered the matter now for the first time I should not have been so much surprised; but that is not the case. This question of fair rents has been argued and re-argued over and over again. There is a celebrated anecdote told of a learned advocate who, in the hurry of opening his case, got hold of the wrong story and made a powerful oration in favour of the other side; but, being reminded by a touch on the shoulder by one of his friends of the mistake he had fallen into, with the utmost self-possession said—"Such, gentlemen of the jury, is the case which my learned friend opposite will put before you," and then proceeded to demolish it and put the right case before the jury. That is exactly the case of the right hon. Gentleman the Prime Minister in this matter. The only difference is that during the 11 years which have passed since the introduction of the Land Act of 1870, many things that the right hon. Gentleman said have been forgotten. Many of the arguments used by the Prime Minister in 1870 against the provisions contained in this Bill remain at the present time unanswered. That is something that I am bound to say does astonish me. They were arguments, not of principle, but of positive fact. Why, when we came to this question of the valuation of rents, the right hon. Gentleman declared that it was not only extremely unfair, but that it was impossible and could not be done. When the question came before the House as to whether exorbitant rents could be valued with a view to their being reduced, the right hon. Gentleman said he should like to see the man who would get up and state, in reasonable language, that he could support that proposition. Before the debate closes, no doubt we shall hear this "reasonable language." Now, I want to go one step further. I quite agree that you met the evil of eviction, to some extent, by the Land Bill of 1870, by which a penalty was put on the landlord for unjust eviction. That Bill has, however, in some degree failed, because, as you yourselves say, landlords do not evict but raise the rent. You therefore say—"Let us have this clause for valuing the rent." It seems to me that is rather jumping at a conclusion far beyond the evil it is desired to remedy. What you want I will point out. The right hon. Gentleman says we make no suggestions; but I would venture to offer one. I assume my premisses are right, and that the evil you want to correct is that the Act of 1870, though it practically prevented eviction to a great extent, yet did not prevent the raising of rents. The Chief Secretary put before us some heart-rending cases where tenants had reclaimed land and removed stones and built houses, the result being that the rent had been largely increased; and there is no one on this side of the House who would not say that that is a monstrous iniquity. I do not mean to say, and the Commission very properly states, that you cannot say all the improvements are to be taken from the landlord and handed over to the tenants, otherwise landlords would have nothing but waste land. There must be a statutory limitation. What you mean is that all the recent improvements made by a tenant shall not be put in the landlord's pocket, and you want to prevent the landlord from raising his rent. Well, why do you not say that if the tenant has his rent raised he has a right to say—"Very well, we will have a settlement. If things are allowed to go on as they are I shall be content; but if you choose to raise the rent it is time we had a settlement of accounts. I have done so much, my predecessors did so much—built houses, planted manures that are not exhausted, and so forth. Let us fix the value of the improvements that belong to the tenants—let us know what they are and pay me the money down. If you cannot afford to pay me money down capitalize it and deduct the interest from the rent." Here you would have a remedy for a great evil you want to provide for. You would not infringe any principle of political economy; you would do what is just, and you would not give to the tenant one farthing that he has not a right to receive. If you did this you would do justice between the parties. You are not content with that, however; you want to do something more, and it is just because you want to do something more that we are so entirely opposed to this part of the Bill. I have observed in a great many of the speeches of hon. Members who have spoken on this matter that they have mixed up two things. The hon. Member for Staleybridge (Mr. Summers), for instance, based his speech upon the improvements the tenants had put in the land. He never touched this point that we object to. What we object to is, not payment for improvements, but payment for something else—something that does not belong to the tenant and never did The hon. Member for Staleybridge, therefore, failed to appreciate that part of the case. Do not let the hon. Gentleman run away with the idea suggested by the Chancellor of the Duchy of Lancaster that all the improvements are done by the tenant. [MR. JOHN BRIGHT: I did not say all, but nine-tenths.] That is nearly all. Do not let the House run away with the idea that all the improvements are, as a rule, done by the tenant. When we read the Report and the Evidence published by the Bessborough Commission, we find that on most of the large estates most of the improvements have been made by the landlords, and that some of them have practically received no rent for the land. ["Oh, oh!"] Well, you find that to be the case in some parts of Ireland, and you know that it is so. Many of the large Irish landlords have spent nearly the whole of their receipts on their estates. All these improvements should be deducted when the tenant makes his claim. We are not willing that you should give the tenant that which he never had and has no right to have. I am far from saying that the Ulster Custom is not a wise one or has not worked beneficially in Ulster, and I do not say that if you introduced that custom to the rest of Ireland it would not work well. It would not suit English habits, and I do not profess to be a judge of what Irish habits are; but I say if you are going to take a serious step, state at once openly and precisely what it is you are going to do. You are going to take away something which has hitherto been considered as always belonging to the landlord, and to hand it over to the tenant, and you are not going to pay the landlord anything for it. It comes to that; and I cannot for one moment imagine that in all these discussions the question of compensation has not entered into the minds of the Government. I quite see all the difficulties they must have had to consider in dealing with the question. They may have asked themselves—"Where is the compensation to come from? Can we get it from the British taxpayer?" They might have thought of the Church Surplus Fund; but I am afraid there is no Church Surplus. I have no doubt that that was thought of; but there is no surplus —or, at least, there is none available. But that does not alter the question whether compensation ought to be given or not. All I can say is, give the tenant by all means the full value, if he wants it, of his improvements; let us have a reckoning up. The landlord raises his rent, and the tenant says—"Very well, then, you shall pay the value of my improvements." But if, beyond that, you are going to take from the landlord what has always been considered to belong to him you must pay him for it. If in the wisdom of the Government they think it right that this should be done, and that the property shall be in the hands of the tenant for the future, let them say so outright, and not by a clause which we cannot understand. Let them say—"In our opinion it is right that the tenant right custom of Ulster should prevail all over Ireland. We shall therefore say to the landlords of Ireland — 'For the public good this must be taken out of your estates, and they must be considered as if they were in Ulster. There is no usage or custom to warrant us in doing so; but as we think it is for the public benefit—that it is for the benefit of Ireland that the custom and usage which prevail in Ulster should prevail throughout the length and breadth of the country—we are bound to say we shall impose that obligation upon you which is imposed on the landlords of Ulster. But, as in all other cases when we take away property from one man for the benefit of others, we offer you compensation—full, fair, and ample compensation for the injury we undoubtedly do to your estates.'"

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Shaw*,)—put, and *agreed to*.

Debate *further adjourned till Thursday*.

## PARLIAMENTARY OATHS (MOTION FOR BILL).

### ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on the Question [6th May], "That the Adjourned Debate on the Question [2nd May], 'That Mr. Speaker do now leave the Chair for Committee on the Parliamentary Oaths (Motion for Bill)' be further Adjourned till Tuesday next, at Two of the clock."—(*Lord Frederick Cavendish.*)

Question again proposed, "That the Debate be further adjourned till Tuesday next, at Two of the clock."

Debate *resumed*.

Mr. SPEAKER: It may be convenient to remind the House that the Question before it is—That this debate be further adjourned till to-morrow, at 2 o'clock.

Mr. R. N. FOWLER: I beg to move that the debate be further adjourned till Thursday.

Mr. SPEAKER: No Amendment to that effect can now be put, as the House has already affirmed the proposition that the words proposed to be left out stand part of the Question.

Sir WALTER B. BARTTELOT said, he wished to remind the House that the Prime Minister had promised to state the course he intended to pursue when the Motion was brought on that evening, and had also stated that he should like a division to be taken. He (Sir Walter B. Barttelot) thought the best course the House could pursue would be to proceed, as soon as possible, to that division. He should, to enable them to do so, conclude by moving the adjournment of the debate, and on these particular and distinct grounds. The House had been sitting since the 6th of January, and the right hon. Gentleman had absorbed, under the necessities of the case, and in the interest of the country as he had stated, the whole of the Private Members' nights. The Motion was one which might well be made on some future day without interfering with anything, and on which there might be a far better opportunity of considering and discussing when there was time on a Government night, and then it might be right, and fair, and just for the Government to press forward the question. But it was not right, or fair, or just—it was unjust and unfair that the right hon. Gentleman should take away private Members' days in the way now proposed. It must be remembered also that if the House granted a Day Sitting to-morrow, they might have another on Friday, and there would be nothing to prevent Day Sittings until this or any other

Bill was brought in and passed. He would move that the debate should be adjourned.

MR. CAVENDISH BENTINCK said, he would second the Motion, in order to place before the House some facts to show that to grant this Morning Sitting would be to establish a dangerous precedent in regard to the rights of private Members. It would, he said, be in the recollection of the right hon. Gentleman that during the last Liberal Administration it was his (Mr. Cavendish Bentinck's) duty to protest against the encroachments which the right hon. Gentleman made on the privileges of private Members, and especially with regard to the practice, then first established, of appointing Morning Sittings in the early part of the Session. His remonstrances, then, and those of his Friends, were of little avail; but the Government of Lord Beaconsfield adopted a fairer and more equitable course. To prove that he need go no further back than 1876, when, on the 8th of June, and on a similar occasion, Lord Beaconsfield laid down the principle upon which, in his judgment, Morning Sittings ought to be appointed. He said Morning Sittings were not a procedure to which he would ever have recourse except towards that part of the year when the pressure of Public Business was very great. Accordingly, in that year, the regular Morning Sittings commenced upon the above date, and in 1877 were first appointed for Tuesdays only, commencing on June 5. In the following year there were no regular Morning Sittings until June 18, and in 1879 the first regular Morning Sitting was on the 27th of May. The principle clearly was that no Morning Sittings should be held before the commencement of June, or thereabouts, except with the consent of, and for the convenience of, the House. The precedent mentioned on a former occasion by the noble Lord the Secretary of State for India of a Morning Sitting held in 1879, on the 6th of May, by the late Government, was wholly inapplicable to the present case, for it would be seen by a reference to *Hansard* that that Morning Sitting on the 6th of May was held at the request of Members of the House, in order that the House might proceed with the Valuation Bill. The hon. Member for Swansea (Mr. Dillwyn) took objection to the proposal to have that Morning Sitting, and twice gave Notice of opposition; but when the time came he did not oppose the Motion, and the debate was proceeded with at a Morning Sitting with the unanimous consent of the House. A Morning Sitting was held on the 27th of May merely for the convenience of the House before the Easter Holidays, and regular Morning Sittings were not resumed till the 10th of June. The practice of not holding Morning Sittings before June was in accordance with the old practice of the House when Morning Sittings commenced at 12 o'clock; and it was clear from the precedents he had cited that Morning Sittings, early in the Session, ought not to be appointed except with the consent of the House—which, in this case, was clearly not given. For the convenience and information of hon. Gentlemen who called themselves independent, and who sat below the Gangway on the other side of the House, he had thought it desirable to make them acquainted with these facts; and he thought the right hon. Gentleman would gain a great point if he could so govern them as to obtain their support to some Motions he had proposed, but to which they were extremely adverse. It would also be well if they would come down to the House when encroachments were to be made on the rights of private Members, and would oppose a Motion which, if the votes of the House could be taken, as he thought they ought to be taken, by ballot, he believed would be rejected.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Walter B. Barttelot.*)

MR. GLADSTONE: Sir, at this time of the night the most rational course would be, if we are to have a division, to go straight to that division; but the right hon. and learned Gentleman (Mr. Cavendish Bentinck) thought he had matter to communicate to the House which was so important and so accurate that he could not possibly withhold it. The right hon. and learned Gentleman says there was once a Government in this country—at a period so deplorable that he cannot refer to it without pain—when there was in operation a conspiracy against the rights of private

Members, but that that guilty Cabinet was dismissed from Office, and another Government came in; and then the right hon. and learned Gentleman, although he had in vain struggled in former times to defend the rights of the House, found he had a different set of people to deal with. [Mr. CAVENDISH BENTINCK: I never said anything of the sort.] I am not endeavouring to cite the words of the right hon. and learned Gentleman. It would be perfectly in vain for me to try to do so; they are far beyond my powers. It will be seen that it is the spirit of his speech to which I am confining myself. With this new Government the principles of the right hon. and learned Gentleman prevailed; and then, with some insignificant exceptions which are hardly worth notice, all Morning Sittings were adjourned, or not allowed until late in May, or until the month of June. That is the upshot of the statement of the right hon. and learned Gentleman; and I must admit that, so far as I can judge, during the time of the late Government the right hon. and learned Gentleman had ample leisure for informing himself on this matter, although he appeared to be generally oppressed by the duties of Office. But I wish simply on this occasion, without further discussion, to test the statement of the right hon. and learned Gentlemen, and show, with reference to the present circumstances, what were the actual dates, extracted from the Records of this House, when Morning Sittings commenced, as he has told us, when he completely succeeded in defending the rights of private Members. I will take, first, the year 1875, when the first Morning Sitting was on the 16th of March. There was another Morning Sitting on the 13th of April, and then they became usual. In 1877 the first Morning Sitting was on the 27th of March; in 1878, the first Morning Sitting was on the 19th of March, and the second and third Morning Sittings in that year were of particular interest in connection with the part which the right hon. and learned Gentleman has taken on this peculiar question. On the 26th and the 29th of March there were Morning Sittings on the Mutiny Bill, in which the right hon. and learned Gentleman was specially interested. After that the right hon. and learned Gentleman thinks he has made an accurate statement to this House. I make no complaint of those Morning Sittings. My own opinion is that, as far as Morning Sittings go as a plan, they ought not to be introduced at an early date. This seems to be a special ground, at all events, on which to try the judgment of the House. When that judgment has been taken there will be time for further discussion; but it will be remembered that a measure to try the judgment of the House is no part of the policy of the Government. It is simply a proposal made by the Government with a view to providing for a dilemma that has arisen out of a vote which the Government resisted. The Government felt it to be their duty, notwithstanding, to render any assistance they could, and they therefore made this proposal. We are certainly desirous to have the judgment of the House upon that proposal; but before they can have that judgment they must have the power of taking the vote of the House, and the power of making a proposal. The object of the Morning Sitting which is now asked for is to enable them to make that proposal, and the preliminary step to making that proposal is that which is now before the House.

MR. NEWDEGATE said, that the Prime Minister had charged the Opposition with having placed the House in a dilemma; but the fact was that the dilemma had arisen on account of the very peculiar appearance of Mr. Bradlaugh at the Table, for which the Ministerial Party were accountable. No one could doubt that the dilemma of which the right hon. Gentleman spoke had been created by those by whom Mr. Bradlaugh had been supported, of whom the leaders were Her Majesty's Ministers. He hoped that hon. Gentlemen on that (the Opposition) side of the House would excuse so humble a Member of the House as himself (Mr. Newdegate) for distinctly repudiating, on the part of the Opposition, any responsibility for the present dilemma. The right hon. Gentleman claimed for his attempt to establish Morning Sittings early in the Session the precedents established by the late Government. But, if his memory did not betray him, he (Mr. Newdegate) thought that the right hon. Gentleman had deemed it to be his duty to repudiate the entire conduct of the late Administration. He (Mr. Newdegate) himself, indeed, regarded the conduct of the late Government as reprehensible in not having shown more promptitude and firmness in dealing with obstruction, and it was that systematic obstruction of the Business of the House which had in the last Parliament rendered early Morning Sittings necessary. He held, then, that the right hon. Gentleman was basing his conduct upon precedents which he had repudiated and condemned at meetings throughout the country, as well as in that House, while he pleaded nothing in justification for this change of opinion on his part. The right hon. Gentleman had charged the late Government with adopting a course which endangered the independence of Parliament, and yet now proposed to pursue the same course himself; and he (Mr. Newdegate) contended that the precedents which the right hon. Gentleman had cited in favour of the course he proposed for the virtual and practical coercion of the House were vitiated by his own often-repeated previous statements.

Question put.

The House *divided*:—Ayes 182; Noes 202: Majority 20.—(Div. List, No. 199.)

Main Question again proposed.

MR. RITCHIE said, he wished to ask the right hon. Gentleman the Prime Minister whether, after such an expression of opinion of the House, he intended to persist with the Motion that the House should meet that day at 2 o'clock? He desired to point out to the House that the division had been taken especially at the instance of the Prime Minister, who rather went out of his way in order to attach significance to the division, and led the House to believe that the whole of his forces would be marshalled in the support of the Government.

MR. SPEAKER: I must point out to the hon. Member that as he has already addressed the House on this Amendment, he has exhausted his right of speaking.

MR. GORST said, he had not yet exhausted his right, and therefore he thought he was entitled, seeing that so large a minority had voted, to ask a question of the Prime Minister on the subject of the Motion before the House. The principle which had always guided the House in taking Morning Sittings was that there should be a general assent to them. There was, so far as he knew, no instance in which Morning Sittings had been forced upon the House by a small majority against the general wish of the House. What he wished to ask the Prime Minister—and it was a question which he should like to have answered before any further proceeding was taken—was whether, as so large a proportion of the House was opposed to a Morning Sitting that day, he still intended to persevere with the Motion for a Morning Sitting?

MR. GLADSTONE: Personally, I should feel inclined to state the matter rather differently from the hon. and learned Gentleman. He says that there has been, so far as he knows, no taking of a Morning Sitting except with the general assent of the House. What I should say would be that, as far as I know, so far as Morning Sittings are concerned, a general disposition to accede to the desire expressed by the Government. ["No, no!"] That has certainly been my experience; but I do not wish to make it a matter of contention. So far as the division which has just taken place is concerned, the number of those who voted for a Morning Sitting is larger than the number who voted against it. On the other hand, I presume that hon. Members who voted with the minority are quite prepared to move other Motions for adjournment. Therefore, if I were to persevere with the Main Question that this debate be adjourned until a Morning Sitting this day, I certainly should do so in the conviction that some hon. Gentleman would move the adjournment of the debate, and that we should have a good chance of a Morning Sitting, although it would be a Morning Sitting continuous from now until 2 o'clock to-morrow. Under these circumstances, I may say that I do not propose to take a Morning Sitting, but we will take time to ruminate on the full significance of the division which has taken place. I may, however, say to the hon. Member for the Tower Hamlets (Mr. Ritchie), that he is quite wrong in his supposition that there has been any marshalling of the forces of the Government. There has been nothing of the kind. We have simply taken this division ont he Notice which was previously given. The hon. Member may take the fact for what it is worth; but I may say that, having given up the Morning Sitting to-morrow, I shall take an early opportunity of reverting to the subject.

Motion, by leave, *withdrawn.*

Debate on Question [2nd May], "That Mr. Speaker do now leave the Chair," *further adjourned* till *To-morrow.*

## MERCHANT SHIPPING BILL.

(*Mr. Chamberlain, Mr. Ashley.*)

[BILL 115.] SECOND READING.

Order for Second Reading read.

MR. CHAMBERLAIN: In moving the second reading of this Bill, I wish to explain that it contains only one operative clause, to which I imagine there will be no opposition. It is a Bill to explain, and to some extent amend, the Merchant Shipping Acts with reference to the measurement of ships for tonnage, and it is rendered necessary in consequence of an inadvertence, and is carrying out the recommendation of the Royal Commissioners now sitting on the tonnage question. It is desirable to pass it as speedily as possible, as otherwise ships may be built under a wrong impression as to the intentions of the law in regard to the measurement of the tonnage of ships. The usual course is to take the cubical space in order to obtain the gross tonnage, and then from the gross tonnage is deducted the space devoted to engine-room and other purposes. With those matters the Bill does not propose to interfere; but a claim has been made in certain cases to deduct from the gross tonnage the spaces which have not been included in the first instance in the gross tonnage—for instance, the space occupied by funnel casings and by skylights on deck. It is quite clear that this was not the intention of the Act, but that it was a simple inadvertence, and that ships which took advantage of the omissions in the existing law would be placed at an advantage over other vessels, and be relieved, to a certain extent, from tonnage dues. It is in order to correct that inadvertence that this Bill has been prepared, and the effect of the Bill is to provide that nothing shall be allowed to be deducted from the gross tonnage for the purpose of exemption from tonnage dues which has not been in the first instance included in the gross tonnage.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chamberlain.*)

MR. T. E. SMITH expressed a hope that the right hon. Gentleman would not proceed with the Bill at that hour of the morning, because, although it seemed to be a small Bill, it involved an important question, which would seriously affect the mercantile community. A number of persons had built ships which they believed to be in accordance with the law; the law took a different view upon the question, and an action was tried which ultimately came before the House of Lords, and was decided against the Board of Trade. Since then there had been various attempts on the part of the Board of Trade to alter the law, and this was only another step in the same direction; he, therefore, trusted that the House would not proceed with legislation, until they had an opportunity of hearing the views of those who were interested in the question. The right hon. Gentleman said that a Commission was sitting on the subject. Then let them have the Report of the Commission, so that those interested in the matter, who had a large amount of property at stake, might have an opportunity of expressing their opinion on the new legislation proposed by Her Majesty's Government. He appealed to the right hon. Gentleman, considering the lateness of the hour, and that a Royal Commission was sitting on the subject, not to ask the House to proceed with the Bill that night. If the right hon. Gentleman did, he must certainly move, as an Amendment, that the Bill be read a second time that day six months.

MR. W. LOWTHER, in seconding the Amendment, said, he did so for the simple reason that the Bill only came into the hands of hon. Members that afternoon. The subject was a very important one. A Commission was already sitting upon it, and he hoped the House would not allow the Bill to be read a second time in that hurried manner.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. T. E. Smith.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR R. ASSHETON CROSS said, he hoped that both the Motion and the Amendment would be withdrawn for the present. He could not imagine that the right hon. Gentleman the President of the Board of Trade would wish to press forward a Bill which had not been in the hands of Members and had not been printed. [Mr. CHAMBERLAIN: It is on the Table.] It was not among the Bills lying on the Table of the House. It could be obtained at the Bill Office that afternoon; but it had not yet been delivered in the usual way.

MR. CHAMBERLAIN said, he had made inquiries at the Office, and had been informed that it had been delivered that morning.

SIR R. ASSHETON CROSS replied, that the right hon. Gentleman had been wrongly informed. The Clerk at the Table had shown him a memorandum which showed that the Bill had not been delivered. It was quite impossible, therefore, that the House could go on with the second reading. In the list of Bills hon. Members were supposed to look at, the Merchant Shipping Bill was mentioned as not delivered. But even if it had been delivered that morning, hon. Members could not have had an opportunity of examining its provisions. It was a Bill which undoubtedly affected very important interests, and, under the circumstances, he hoped the right hon. Gentleman would consent to adjourn the debate.

MR. CHAMBERLAIN: I can assure the right hon. Gentleman and the House that I have no desire to press the Bill forward with undue haste, and the moment the House asked for more time I was prepared at once to fall in with that expression of opinion. If my hon. Friend (Mr. T. E. Smith) will withdraw the Amendment, I will withdraw the Motion and postpone the Bill. With regard to the remarks of the right hon. Gentleman opposite, I may say that I had made inquiry at the Vote Office, and I was assured in the most positive terms that the Bill was delivered this morning. [Mr. MONK: Hear, hear!] I gather from the cheer of my hon. Friend the Member for Gloucester (Mr. Monk) that he has received a copy. I have only made these remarks, because I do not wish it to be understood that I had moved the second reading of a Bill which had not been delivered.

SIR R. ASSHETON CROSS: The right hon. Gentleman will do me the justice to suppose that I had ample justification for the statement I made.

MR. DILLWYN remarked, that he had received a copy of the Bill that morning.

MR. HEALY protested against the way in which the Bill had been brought forward. It was introduced and read a first time by a very curious kind of subterranean legislation. About 3 o'clock in the morning the right hon. Gentleman got up—a few seconds before the House adjourned—and whispered something to the Clerk which nobody could hear. Then somebody said, "Merchant Shipping Bill—second reading, Monday;" and that was all anybody knew about it. He objected to 2 o'clock in the morning legislation; and, in order to prevent a recurrence of what had just happened, he should put down a blocking Notice against the Bill. He trusted that what had taken place would be a warning to the Government not to attempt legislation in whispers.

MR. T. E. SMITH said, that, after the statement of the right hon. Gentleman, he would, with the leave of the House, withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Motion, by leave, *withdrawn.*

Second Reading *deferred* till *Thursday.*

## *MOTIONS.*

### LOCAL GOVERNMENT PROVISIONAL ORDERS (ASKERN, &C.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Askern and Atherton, the Borough of Birmingham, the Local Government Districts of Ealing and Hampton Wick, the City of Liverpool, the Borough of Middlesborough, and the Local Government Districts of Selby and Shirley, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented*, and read the first time. [Bill 152.]

### NEWSPAPERS BILL.

On Motion of Mr. LABOUCHERE, Bill for further regulating the transmission of Newspapers, *ordered* to be brought in by Mr. LABOUCHERE, Sir HENRY DRUMMOND WOLFF, Mr. EDWARD CLARKE, Mr. A M. SULLIVAN, and Mr. DILLWYN.

Bill *presented*, and read the first time. [Bill 154.]

### HIGHWAYS AND LOCOMOTIVES (AMENDMENT) ACT, 1878, BILL.

On Motion of Mr. ASHLEY, Bill to amend certain provisions of "The Highways and Locomotives (Amendment) Act, 1878," *ordered* to be brought in by Mr. ASHLEY and Mr. CLIFFORD.

Bill *presented*, and read the first time. [Bill 155.]

### TIDAL RIVERS (INTERMENTS) BILL.

On Motion of Baron HENRY DE WORMS, Bill to amend the Law in respect of the Interment of Persons drowned in Tidal Rivers, *ordered* to be brought in by Baron HENRY DE WORMS, Sir SYDNEY WATERLOW, Mr. BOORD, and Mr. RITCHIE.

Bill *presented*, and read the first time. [Bill 156.]

### AGRICULTURAL LABOURERS (IRELAND) BILL.

On Motion of Mr. CALLAN, Bill to improve the condition of Agricultural Labourers in Ireland, and to amend and extend the Laws in respect to the erection and tenure of dwellings for the labouring classes in Ireland, *ordered* to be brought in by Mr. CALLAN, Mr. PATRICK MARTIN, Mr. P. J. SMYTH, and Mr. SHAW.

Bill *presented*, and read the first time. [Bill 157.]

### ARTIZANS' AND LABOURERS' DWELLINGS IMPROVEMENT.

Select Committee *appointed*, "to consider the working of 'The Artizans' and Labourers' Dwellings Improvement Act, 1875,' and the amending Act of 1879, with a view of considering how the expense of and the delay and difficulty in carrying out these Acts may be reduced, and also of inquiring into any causes which may have prevented the reconstruction of dwellings for the Artizan Class to the full extent contemplated and authorised by these Acts and of recommending such Amendments as may be most expedient for carrying out the full intention of these Acts, and also to consider the working of the Metropolitan Streets Improvement Acts, 1872 and 1877, and of 31 and 32 Vic. c. 130, and 42 and 43 Vic. c. 64."—(*Sir Richard Cross.*)

House adjourned at Two o'clock.

## HOUSE OF LORDS,

*Tuesday*, 10*th May*, 1881.

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MINUTES.]—PUBLIC BILLS—*Second Reading*—Inland Revenue Buildings* (73).

*Committee*— Municipal Franchise (Scotland)* (55).

### SOUTH AFRICA—THE ANNEXATION OF THE TRANSVAAL—MR. GLADSTONE'S LETTER TO MR. TOMKINSON.—OBSERVATIONS.

THE EARL OF CARNARVON rose to call attention to a letter in *The Times* of 15th April, purporting to be written by the Right Honourable W. E. Gladstone to Mr. Tomkinson on the Transvaal War. He said: I believe that since Parliament sat this subject has been under discussion on several occasions in this House, and I wish to take the earliest opportunity of making my acknowledgements to my noble Friend opposite (the Earl of Kimberley) for the fair and considerate way in which whenever my name has been mentioned as one of those concerned in the annexation he has been good enough to deal with it. That makes me all the more sorry that I have to criticize the letter referred to in the Notice I have given. Ordinarily, I should not be prepared to take notice of a letter on a public subject; but this letter is of a somewhat different character from others. It is written by the Prime Minister, and it contains charges of such a very grave and dark character that it is hardly possible for me to avoid taking some notice of it. I think, therefore, the earliest notice which it is in my power to take is the best. The letter purports to be a letter from the Prime Minister to Mr. Tomkinson, who, I understand, was a Liberal candidate for West Cheshire. The earlier part of the letter I need not trouble your Lordships with; but I must read the concluding sentences. They are—

> "I am glad that in your address in relation to the Transvaal you take the bull by the horns, and avow your approval outright. I can assure you that when we come to the discussion in the House of Commons I shall adopt no apologetic tone. It was a question of saving the country from sheer blood-guiltiness. I chiefly regret the discussion, because it will oblige us to go back and censure anew what it would have been more agreeable to spare."

There are three different points in these paragraphs. As regards the singular illustration of taking the bull by the horns, I was prepared for something very startling by the vehement metaphor with which it was ushered in; and I was, therefore, surprised when I found that all Mr. Tomkinson did say was that he strongly approved of the moral courage of the Government in their policy in the Transvaal. It is rather a moderate expression to evoke so strong a simile. The points which are of consequence are in the sentences which follow. When Mr. Gladstons says he regrets the discussion "because it will oblige us to go back and censure anew what it would have been more agreeable to spare," that sentence, as far as I can read it, can point only to one of two persons—either to Sir Theophilus Shepstone, who practically carried the annexation into effect, or to myself. Sir Theophilus Shepstone is a man whose name, until within the last few years, was not known in this country. He was one of those public servants of which this country has so many and feels so proud, whose whole lives are spent in the conscientious and faithful discharge of their duty abroad. His has been a very long and unblemished career; but I shall not attempt to defend him until I know more distinctly what are the charges made against him. It is only fair that the accusations against such a man should be formulated. Whenever any charge is directly made against him I am perfectly prepared to take my full share of responsibility in the matter; and I feel confident that I can put his conduct in a light which will satisfy your Lordships and the country. As regards myself and Mr. Gladstone's wish to spare censure, I have no desire to be spared in the matter at all. I ask for no forbearance, and I am prepared to face any charge that may be made against me in this matter. I would, however, venture to offer to the right hon. Gentleman a caution, and it is that when he makes these charges he should beware lest in his haste he involves some of his Colleagues in the common accusation. I cannot help thinking that my noble Friend opposite, the Colonial Secretary, expressed a very honourable and fair approval of the measure at the time. In the other House, the Chief Secretary for Ireland (Mr. W. E. Forster) never hesitated to declare his concurrence in the measure; and I believe that no fewer than four Members of the present Government voted in favour of the first Transvaal grant, while there were others who by their silence assented to it. I am not now going into any defence of the original annexation of the Transvaal; but when I hear the grounds on which it is attacked, I shall be perfectly prepared to defend it. At the time no voice was raised against it. Two years subsequently, in this House, when the question was mooted, I stated the facts, and there was not a shadow of opposition. It is not too much to ask now, if it is to be condemned on new grounds, that those new grounds should be distinctly and formally stated. When they are so stated I shall be perfectly prepared to defend the course I took, and to vindicate the course of the Government of which I was a Member. I pass on now to another point in one sentence of the letter, in which the right hon. Gentleman leaves the region of vague charges and comes to the more substantial ground, direct propositions. The right hon. Gentleman says, "It was a question of saving the country from sheer blood-guiltiness." I can truly say that when I read those words I was lost in astonishment as to what their meaning was. They are hard words. What does blood-guiltiness mean? Blood-guiltiness is a term you apply to murderers and other criminals of the highest degree of depravity. If the words had fallen from the lips of some irresponsible speaker perorating on the subject, I should not have troubled your Lordships or myself about them. But this is a very different case; these are the words of the Prime Minister; and they are not words spoken in the heat of debate; they are words coolly and deliberately set down in writing, and used as a manifesto at an Election, which was declared far and wide to be a test Election of public feeling. If there were blood-guiltiness at the time of adopting the policy, there must have been blood-guiltiness in continuing it; there must have been blood-guiltiness in fighting the battles of Majuba, Ingogo, and Laing's Nek, and, above all, in proclaiming in the Queen's Speech on the 6th of January that measures would be taken to vindicate the authority of the Crown. If this policy was right, it was right at every step; if it was wrong, it was wrong at every step. But it really seems to have been reserved to the Government to make this notable discovery after we had sustained three severe and heavy defeats; after one massacre which the late Parliamentary Papers show to have been treacherous and cold-blooded; and after a capitulation obtained by fraudulent means, promised to be cancelled, but which, as I understand, has never been so cancelled. And it is after this succession of events, that for the first time this discovery is made. I should be the last person to accuse anyone of blood-guiltiness; and it is not my practice to use hard words; but I must, in all coolness and deliberation, say, if there be real responsibility for this measure—I do not say conscious responsibility, but a real responsibility for the unhappy events which have taken place—that responsibility is to be found in the actions and words of the right hon. Gentleman himself, coupled with such acts as the appointment of Mr. Courtney to an Office in the Government. Nothing can be more certain than this—that the unfortunate speeches which he made in his Mid Lothian canvass contributed to produce these unhappy events. [*Laughter.*] My noble Friend seems to doubt it. [Earl GRANVILLE: Very much.] My noble Friend may doubt; but if there be one thing more certain than another it is that the words used then were taken up and carried from mouth to mouth, and have exercised a most sinister influence on the Boers of the Transvaal. Can it be wondered that it was believed the annexation would be reversed when they had the assurance of the right hon. Gentleman? Can it be wondered at that when that annexation was not cancelled their disappointment broke out into insurrection? The very leaders with whom you are in negotiation had appealed to the right hon. Gentleman's speeches, and in a remarkable Petition, signed by Dutch people in Holland, which, no doubt, your Lordships have read, the same confident language was held. When the reports of the right hon. Gentleman's speeches reached the Transvaal, they were printed and circulated with every kind of exaggeration and approval, and it was said that the Transvaal would be restored. But there came a telegram from this country that the annexation must be maintained. Upon which, the Boers said—"Then there is nothing for us but to saddle our horses and get out our arms." I do not here want to say anything of the terms on which this peace has been made. My noble and learned Friend (Earl Cairns), some few weeks ago, went at length into the subject. The Commission is at present sitting, and it may be wiser for the present to leave that part of the question alone. But I must venture on this occasion to express my very strong protest against the time and manner in which it has been made. I should have thought the reversal of the annexation under any circumstances most impolitic; but it might at least have been done without the discredit which now attaches to it. First, you might have abandoned it when you came into Office. Secondly, when the scheme of Confederation broke down you had a fresh point of departure. And there was another opportunity — you might have marched your army to Pretoria, and, probably, without shedding one drop of blood, laid down the terms on which you were propared to grant peace. But you waited for three defeats, and an unfortunate capitulation, and then gave up everything the Boers had been demanding—terms which every officer and soldier and man of honour in the country know to be terms of humiliation and disgrace. Allow me, my Lords, to add one warning. The position of my noble Friend opposite is one of danger at the present moment. First, because he does not know with whom he is negotiating. Who are the negotiators? They are men—I wish to measure my words — whose hands are scarcely clean, I will not say from blood, but from complicity in blood foully shed. They are men who have scattered far and wide the grossest, most scandalous, and false accusations against English officers. They are men who have declared from first to last that they would take nothing short of independence from the Zambesi River to Simon's Bay; and, worst of all, men who have no real authority over their followers. They are powerless to execute that which they pledged themselves to carry out. Look at the evidence we have of the state of things to which this unhappy policy is bringing us. Compare the condition of the Transvaal now with what it was four years ago. It was then overrun with Native Tribes. It was bankrupt. There was only 12*s.* 6*d.* in the Exchequer. The Boers were trembling for their lives. We stepped in and saved them. Their cattle were preserved; their lives were saved; and the anarchy which existed gradually disappeared. Prosperity so far revived that the finance of the Province is not only in a state of equilibrium, but there is a large surplus. But, now, things have reached such a state that society has been resolved back to its original elements. There is no law which the magistrates can enforce. Property is disappearing throughout the country. Here and there a store may be open; but banks and shops are closing. Loyalists are outraged, pillaged, obliged to flee the country. The Natives threaten to rise against the Boers. And what of the Boer leaders? They are powerless. It requires very little foresight, indeed, to prophesy what must happen under these circumstances. Hardly anyone who knows anything about the state of things can doubt that as soon as your troops are withdrawn — perhaps sooner—you will have a fresh rising. The same state of anarchy will result in the same dangers and the same horrible outrages. But it may be said we shall gain the Dutch. While I was in Office nothing was nearer my heart, as far as Colonial policy was concerned, than to win the Dutch back to loyalty and affection; and I venture to say, without egotism, that, circumstances favouring me, I did more in that direction than any other Minister ever had done. I had then just as great a difficulty to solve with the Orange Free State as Her Majesty's Government have now. But I solved it, President Brand was satisfied; and if you now enjoy his loyal co-operation and help it is to that settlement with me that you owe it. I should be the last man to quarrel with conciliation; but this is not the way to win the Dutch. And there is something above the mere conciliation of any section of the community. Something is due to those Natives to whom you have pledged the good faith, honour, and protection of the Crown. Something is due to those loyalists who stood by us, shoulder to shoulder, in the Zulu War, and to whom we have made promises ever since we have been in possession of the Transvaal. Something is due to the English residents there, who have accepted the assurances of two successive Governments, three successive Secretaries of State, and two Governors, and on the faith of those assurances built houses and bought farms, and invested their capital in the country. Something is due also to the English Colonists of South Africa. And by all of these this action is condemned in language far stronger than any I have used, and will be condemned wherever the English name is known or the English tongue spoken. This is not the way in which the English Empire was won; nor is this the way in which it will be maintained. I wish I could think that by this unhappy measure you will secure the object you have in view. But, my Lords, there is no peace in this settlement. It is a house built upon the sand, and very soon to be swept away by the rising flood. You will find that this settlement will lead not only to the strife of races, but to further troubles and even bloodshed. But all this is now in a certain sense a thing past and irremediable. But one thing remains—and, as to this, with no Party feeling, I entreat Her Majesty's Government to be firm in their dealings with the Boers. They have, wisely or unwisely, committed themselves to certain terms. Those terms are laid down in certain telegrams, and in the Instructions to the Commission just issued. I do entreat Her Majesty's Government, having laid down those terms, to adhere to them. There is a feeling abroad that all concessions will be in vain, and that anything may be wrung and extorted out of the Government provided it is only pursued with sufficient pertinacity. I can conceive nothing so dangerous; nothing, to put it on the lowest ground, so expensive. When credit is lost, even the National Exchequer itself suffers. Dangerous it certainly is; because if once the impression gets rooted abroad that you can be driven from pillar to post, and that any concession may be wrung out of you by pertinacity and force of arms, then before long you will have to fight not only in the Transvaal and South Africa, but in India—anywhere and everywhere—for Empire and for very existence.

THE EARL OF KIMBERLEY: My Lords, the noble Earl has stated that the house we are laboriously endeavouring to build is crumbling away. I will remind my noble Friend that the house which he built has crumbled away, and it is because it has crumbled away entirely that we find ourselves involved in the difficulties we are now discussing. I have always admitted that my noble Friend was actuated by motives of the most honourable kind in what he attempted to do, and that he believed the policy he was pursuing would conduce to our interest in that part of the world. But when my noble Friend says that I entirely approved his policy, he is overstating the case. I have already explained in the House what I did say; but as my noble Friend has referred to the subject, I may be again allowed to state it. What I did say was that if my noble Friend was correctly informed that the Boers were disposed to acquiesce, the annexation of the Transvaal would be a boon to the Empire. But everything depended on their acquiescence. I entirely depended on the information possessed by the Government. I always thought it a disadvantage that there should be an absence of union among the States in South Africa, and I rejoiced that there should be an opportunity if based upon good reasons for uniting a large portion of South Africa to the Crown. But the result has shown that my noble Friend committed a most serious error of judgment. I can scarcely conceive a policy which has more completely and totally failed than the policy he pursued. I freely admit that we owe him a debt of gratitude for settling the difficulty with regard to the Diamond Fields and Griqualand West; but I am profoundly convinced that the whole of his policy in South Africa with that exception was the most complete and lamentable failure that could be. My noble Friend endeavoured to initiate a very wise policy if it could be effected—a policy of Confederation. I told him at the time that I thought his action on the question premature, and that he employed a very unwise agent in Mr. Froude. Anybody who has followed the course of Mr. Froude in South Africa must be convinced that if anyone could have wrecked a policy, Mr. Froude would have done so. Another mistake was the annexation of the Transvaal. When my noble Friend announced that he had committed himself to the Confederation policy, I thought it advisable that every effort should be made for its success. But my point is this—that in that policy, and also in the annexation of the Transvaal, he committed an error of judgment by forcing on a policy for which the country was not ripe. The policy was based on sand. With regard to the annexation of the Transvaal, I should have thought my noble Friend would require no proof that his policy has failed. What proof can be stronger than that three years after the annexation its reversal was pursued by a great portion of the Dutch population with as much energy and determination as in any insurrection I ever heard of? But then for this my noble Friend has an explanation of his own. He says the failure is owing to the speeches of Mr. Gladstone and the appointment of Mr. Courtney as Under Secretary at the Home Office. The latter it is impossible to connect with the question, for Mr. Courtney was not appointed Under Secretary until after the insurrection broke out. Well, Mr. Gladstone did undoubtedly make speeches on the question, and condemned the policy pursued. But anyone who has read the Blue Book on the subject and other publications must know that there was a continuous protest on the part of the Transvaal, showing itself in deputations to this country and in remonstrances addressed to Sir Michael Hicks-Beach; and there is no reason to date the disaffection of the Boers from the time Mr. Gladstone made the speeches referred to. I am perfectly free to admit, if we are to be blamed, that we did not foresee that those discontents would culminate in a serious outbreak against the Government. If I am to be blamed, it is for that. But those who will take the trouble to read the despatches I received will find that there was a most remarkable and continuous expression of opinion on the part of those best qualified to judge, from their position in the country, that the state of things was gradually growing better. It was said, I think, in some despatches that time and patience alone were required to bring about a happy result. There was a very interesting and important despatch from Sir Garnet Wolseley, dated in 1879, as to which he drew my attention to the fact that it had been omitted in the Papers laid before Parliament, and I complied with his request to produce it. In that despatch there was a strong expression of opinion that the Boers had a rooted dislike to English rule, and it has been argued that we ought to have inferred from that that Sir Garnet Wolseley's opinion was that there was danger in our position in the Transvaal. But there were later despatches from Sir Garnet Wolseley which by no means bore out his former opinion. I will refer to one of those despatches, the one dated April 10, 1880; which I take in preference to the others, because it was written either just before or just after I came into Office. In it Sir Garnet Wolseley says—

> "Reports from all quarters of the Transvaal sustain the opinion that the people, being thoroughly weary of the uncertainty and the troubles attendant upon opposition to the Government, and seeing no hope of any successful issue from the dangerous measures in which they have been induced to place confidence, have determined to renounce all further disturbing action, and to return to the peaceful cares of their rural life, which was already beginning to suffer from the continuance of political irritation."

Therefore, it is clear that Sir Garnet Wolseley, although he pointed out the rooted dislike entertained by the Boers for the English, was of opinion that there was no serious danger. And more than this, it was with his concurrence that the late Government reduced the garrison in the Transvaal to only three regiments. I have said that this accusation is the most difficult for me to meet; but I ask the House to consider the state of things that my noble Friend has described. Notwithstanding that you have improved the revenue and the administration of the Transvaal, and in spite of all the advantages which your rule may have brought into the country, so violent is the feeling of the population in favour of independence that they are determined to rise and cast away all those advantages, and at the expense of a severe contest, in order, if possible, to emanicipate themselves from your rule. The fact is, that our rule failed in one essential condition—namely, in lacking the consent of the population. Everything turns on that. If the Transvaal had been a conquered country, or if the annexation had been effected on grounds other than the willing acquiescence of the people, then the policy that we have pursued might have been questioned; but if you have taken possession of a country on the express grounds that the White population are willing to accept your rule, and if you find them violently hostile to you after an experience of three years, the only question that you have to consider is how you may most satisfactorily divest yourself of your acquisition. There can be no doubt that the grounds on which my noble Friend opposite annexed the Transvaal have proved to be entirely false. Having dealt with that portion of our policy which has been so readily challenged, I come to the question underlying the phrase "blood-guiltiness." My noble Friend seems to think it a most astonishing expression, and one that requires explanation; but, as it appears to me, the statement made in the letter of my right hon. Friend is little more than a truism. What he said may be said, with certain limitations, of every war that ever was begun. If you go on with a war and unnecessarily prolong it, you are undoubtedly shedding blood guiltily. But I suppose my noble Friend's interpretation of the matter is that if there was blood-guiltiness in going on with the war at the moment when we stopped it, there was also blood-guiltiness in ever beginning it. Now, as a matter of fact, we did not begin it, but were ourselves attacked. We found an insurrection in the country, and all our garrisons were beleaguered; there was the affair of Bruncker's Spruit, and we had nothing to do but to collect our forces and vindicate the Queen's authority. Then, having collected our forces, it is suggested that we were bound to prosecute the war to the bitter end. But are we to be placed in this dilemma—to be bound either to submit to the insurgents and to grant all their demands, or, if we do not give them all they ask, to go on fighting till they are entirely subdued? That is a dilemma into which no Government ought to be forced. The real question was—was it, at the time when we made peace, in the interests of the country that we should do so? The question of blood-guiltiness is one of conscience, though the noble Marquess opposite may deny that conscience enters into such questions as this. It seems to be assumed throughout that if we had taken no steps to collect our forces, and had made no effort to resist the insurgents, we might still have made the same terms with them. But that is not at all the case. Anyone who reads the despatches will find that the demand was made that we should withdraw our garrisons; but we did nothing of the kind. And more than that, in the present state of things, the present question is this—Is peace finally concluded now? Not at all. What we concluded was an agreement preliminary to peace. And does it not make a considerable difference when you have to carry into effect certain terms whether you have a force at your back or not? Does my noble Friend suppose that, if we had taken no steps to vindicate the Queen's authority, we should now be in a position to make peace? Certainly not. It is a settlement which may be carried through; but it is one of very great difficulty. I concur with my noble Friend opposite that some firmness may be requisite; but I deny that it is the same thing now to negotiate as to have submitted to the insurgents at the first outbreak without making any movement at all to show that we were in a position to uphold our authority in South Africa. My noble Friend spoke of his desire to conciliate the Dutch. I do not think that we should be actuated simply by a desire to conciliate the Dutch, but by a desire for the good and prosperity of South Africa generally; and if a war of this kind be allowed to degenerate into a war of races, a state of things will be brought about which will make it almost impossible to maintain the Queen's authority in that country. When my noble Friend speaks of the possibility of maintaining the Queen's authority in the Transvaal, I reply that it was possible till we had the insurrection; but after it we were placed in this position—we could have maintained it permanently only by conquering the Transvaal Boers, and then we must have maintained a large force to keep them in subjugation. But would the country have borne the expense of such a force, and would it have been possible to avoid difficulties of the most serious kind with the Dutch population elsewhere? I think not; and, therefore, I regard the course that has been taken as just, and right, and sound, and conducive to the permanent interests of South Africa. As regards the present position of affairs, I am far from saying that I am without hope of a satisfactory settlement; but I am aware of the difficulties and dangers of the whole question, and will not speak in a too sanguine tone. But I am certain that the policy initiated by my noble Friend opposite could not have been maintained. Whether ours will be permanently successful, I cannot say; but our motives are as good as his, and I hope the chances of success are greater for our policy than for that which he pursued.

The Duke of ARGYLL: No Member of the House need be surprised that my noble Friend opposite should have taken a very early opportunity of saying something in vindication of the policy that he pursued in the Transvaal, and of repudiating the charges which have been levelled against him and against the Government with which he was connected. I confess, however, that, in my opinion, my noble Friend has not taken a very convenient course in raising this great question on a letter written by the Prime Minister in respect to certain electioneering proceedings in England. Having been myself *procul negotiis* for some weeks, I have not yet seen the letter; but when my noble Friend read it, I was glad to find that the words, though sharp and severe, fairly represented the grounds on which the present Government have acted. I was prevented from taking part in the debate raised some weeks ago by the noble and learned Earl opposite (Earl Cairns), and I shall not endeavour to answer the elaborate speech he made on that occasion. I am going to take a very simple course. There are some advantages in being out of Office, for one can speak the arguments that are in his own mind and need not be afraid of committing others with regard to any of the arguments so used. I wish to explain briefly to my noble Friend the course of argument which I pursued in my own mind when I assented to the course the Government took on this most difficult and delicate question. In the first place, let me say that during the conduct of the Opposition in the winter before last I never took any part in blaming the late Government for their transactions in the Transvaal. I believed that their policy was dictated by a sincere desire to promote the good of South Africa; and, what is more, I believed that the action of my noble Friend was taken upon such evidence as was procurable by him, that the annexation of the Transvaal was really either desired, or at least acquiesced in, by the great majority of the population. I will venture to say that there is no public man in this country, belonging to any Party, be it Whig, Radical, or Conservative, who would have cared to annex the Transvaal if he had believed that it was against the assent of the population. Such assent as was given at the time by my noble Friend who is now Secretary of State for the Colonies, was, as I very well recollect, for I sat next to him on the occasion, qualified by the supposition and assumption that the evidence and reports of our officers in South Africa were true, and that the great majority of the population were in favour of the annexation. I believe that the late Government took part in that transaction under the belief that that evidence was sound, and I think that their action was perfectly justified. Therefore, I never uttered one word blaming the foreign policy of the late Government in regard to the transactions in South Africa. I, therefore, come to the discussion of this question with a mind not only entirely unprepossessed against the late Government, but rather prepossessed in favour of the policy they took. A great deal has been said of the fact that when the present Government became responsible for the Speech from the Throne, a paragraph was inserted declaring our determination to re-assert the authority of the Crown in South Africa. Well, up to a period later than that, I myself saw no adequate ground for doubting the conclusion that the majority of the Transvaal Boers were in favour of our annexation. It was the universal report of all our officers that the malcontents were a small though active minority, that things would soon settle down, and that the annexation was popular in the country. My belief in these statements was not shaken until shortly before the action at Laing's Nek. Reports came to the Government before that date showing that the Boers, to the number of 4,000 men at least, had been congregated in various parts of the Transvaal for the purpose of asserting their independence. I believe that the whole fighting force of the Transvaal Boers could not be more than 8,000 men at the very outside; and when you have the fact that upwards of 4,000 men had congregated in arms to resist the authority of the Queen in that country, it became perfectly evident that our officers who sent the reports had been deceived, and that the idea of the general acquiescence in our dominion was wholly a mistake. It was under these circumstances, and before the action at Laing's Nek, that indirect negotiations, or—if that word should be considered too formal, and perhaps it is so—indirect communications were entered into with a view to peace. The question then arose, were those negotiations or communications with the view to peace to be stopped on account of the defeat at Laing's Nek? That was the question which came before Her Majesty's Government. I do not deny that there were great difficulties in this question. I know that the feeling of military men was universally, and I believe it is now almost universally, in favour of retrieving that defeat before the negotiations were completed. I do not put aside the opinion of soldiers. It ought always to be deeply respected. The honour of the Army is not to be lightly treated, and the sentiment of the Army ought to be respected; but, on the other hand, the opinion of soldiers—the feeling and sentiments of soldiers on such occasions—is not always a safe guide in political affairs. I confess that the evidence of fact in regard to the non-assent of the Boer population affected my own conscience deeply. I felt it might be said that we had taken the country of these people, as it were, by stealth. I could not for a moment feel that allegiance in the true sense of the word—that duty which men owe to the Government under which they have been born and bred—was owing to us by the Boer population. Therefore, I felt it was more than probable that there was a great majority of that population who might honestly say—"England has taken our country from us under a mistake; but she obstinately shuts her eyes to the evidence we have produced, and the deputations we have sent, and she will own to no wrong although she is committing a great wrong." Under these circumstances, I think it was not the duty of England to stop the negotiations for peace in consequence of the check at Laing's Nek. There were two other actions which followed that engagement; and let us look at the circumstances in which they took place. I believe Sir George Colley was a most gallant man and a most able and accomplished officer; but I have heard no soldier speak on this subject who did not admit that he handled his forces with great rashness on those two occasions. He exposed small bodies of men unsupported in situations where they could not be supported to overwhelming forces of the enemy armed in a manner that our men were not skilled to meet. In such circumstances, these military defeats were not to be weighed in the scale for a moment with the great political question before us. Our troops were beaten under circumstances in which they really had no opportunity of displaying their military valour. They were shot down at great distances by deer-stalkers rather than by soldiers. The question for consideration was, whether it was worth while to get a military triumph over the Boers and to stop all negotiations for peace? In dealing with this question we had to consider the nature of the forces by which our troops were defeated. The Boers are not an army; they have no regiments, and no artillery. They are simply armed farmers who are accustomed to deer-stalking, and who are fighting for the independence of their country. Now, I ask any soldier in this House whether a great military triumph could be obtained by conquering such men? None whatever. Who can doubt that the British Army which soon afterwards assembled, consisting of upwards of 10,000 men, had the perfect power of conquering the Boers? The Boer force could hold a mountainous position like Laing's Nek with great success; but on a plain they would not be able to stand for a moment against the British Army. In my opinion it was no question of military glory, it was a question of policy. Was it wise to stop our negotiations for peace for the sake of defeating farmers who had succeeded, under accidental circumstances, and by great rashness on the part of our commanders, in gaining a victory over us? That was the position of the Government, and I maintain that the Government came to the right decision, that the negotiations ought not to be stopped on that account. I entirely agree with the opinion expressed by my noble Friend (the Earl of Kimberley) that the question was entirely political and not military. In the event of our overcoming the Dutch population of the Transvaal, would that have tended to the restoration of permanent peace in South Africa? Looking to the undoubted sympathy of the Dutch population in the Cape Colony with the Transvaal Boers, there was a serious danger of involving that country in a war of races; the most calamitous of all things in any country, and a result which any Government is bound in duty to avoid, if possible. These were the main arguments which induced me, for one, to agree with the course which the Government have taken; and although, undoubtedly, it is a course which, owing to the previous policy of the Government and the mistakes they had been led into, was full of difficulty and danger, was, I have not the slightest doubt, the right policy to pursue. I entirely agree with my noble Friend opposite in trusting that the Government will now, in the conduct of the negotiations, be firm with the Boers, and give them clearly to understand that the authority of the Crown is to be maintained in South Africa in the fullest sense of the word suzerainty, and that we shall not allow any portion of that country to lapse into anarchy. There was one argument used by my noble Friend, the relations of the British Government to the Native population, which I cannot help saying has been greatly overstated. My noble Friend opposite says that in South Africa we have always made a point of reserving our relations with the Native States. What is the meaning of that? Look at what is going on at the present moment. The Cape Colony has been waging war against the Basutos contrary to the advice of the British Government. My noble Friend remonstrated, and his Representative in the other House made some observations which gave great offence in the Cape Colony. The conduct of the Sprigg Ministry towards the Basutos was pursued entirely independent of the advice of the British Government; and it is rather absurd to say that we are more responsible for our relations with the Natives in the Transvaal, which we have held only two years, than we are in the Cape Colony, which we have possessed for many years.

Lord BRABOURNE felt strongly that the policy pursued by Her Majesty's Government in South Africa would tend to produce the most disastrous results. It was said by the supporters of the Government that the Transvaal ought not to have been annexed except with the consent of a majority of the inhabitants. That, he was sure, was a doctrine which no one would dispute. Those who urged it forgot apparently that possibly enough the annexation of the Transvaal was desired by a majority of the inhabitants at the time it was effected, as being their only hope of safety, and that they changed their views only after the English Government had warded off the danger which threatened them. In any case the fact remained that a serious blow had been struck at our prestige in South Africa. He would be told, perhaps, that prestige was not a thing which a nation wanted, and he knew it was a word objected to by some of Her Majesty's Government. But what was prestige? In its conventional sense it was the reputation which a country possessed in the eyes of others. It was very much the same to a great country as credit was to a commercial house, and could equally little be dispensed with. It would be unbecoming of him to criticize the language of the Prime Minister's letter; but he would observe that it was a mistake to treat the literary productions of the right hon. Gentleman as those of an ordinary individual. It was well known that the speeches of the Mid Lothian campaign condemning annexation were quoted by the Boer leaders in justification of their rebellion against British authority, and his noble Friend the Secretary of State for the Colonies would find these statements in his own Blue Book, which he could hardly have read if he denied that the Prime Minister's speeches had anything to do with the rising. Reference had been made to the massacre at Brunker's Spruit. That was one of the most disgraceful events he had ever heard of. He had carefully searched the Blue Books and had not found a single word from his noble Friend the Secretary of State for the Colonies expressing his sorrow and indignation at what had occurred. What, in fact, did occur? A detachment of some 250 British soldiers, marching in long convoy and with no knowledge of any state of war, with women, children, and baggage, were stopped by the Boers and suddenly summoned to surrender. That war had not then been declared was proved by the very letter delivered to Colonel Anstruther by the Boers, in which they said—"We do not know whether we are in a state or war or not;" but that if he advanced, "we know what we will have to do in self-defence." Self-defence! when even while Colonel Anstruther was reading the letter, under cover of the flag of truce, the Boers were quietly advancing to positions they had before planned, the distances having been marked by them and a regular ambush laid. The Colonel sent a message back, asking for an answer, but immediately the Boers opened fire, without giving him any reply or any intimation that he was in the presence of a superior force. What would Lord Palmerston have done in such circumstances? He would have demanded explanations from the Boers; and if it had been found—as he believed it would have been found — that the act was beyond the usages of civilized warfare, atonement would have been exacted from the Boers, and the massacred troops would have been avenged. Nothing of the kind was done by his noble Friend. No more official notice was taken of the massacre of our soldiers than would have been taken of the killing of so many dogs. He had inquired of his noble Friend, more than once, whether the perpetrators of this outrage would be brought to justice, and the reply he had received was that the Commission would have power to deal with the matter, but that the amnesty would probably cover that act of the rebel Boers. Well, in the Instructions given to the Commission, there was not one word to call their attention to the occurrence, and it appeared as if the Boer version of the affair were to be calmly accepted, and the testimony of our own soldiers cast aside as worthless. The British soldier was not highly paid—his was not a lucrative service—but he did care for the honour of his flag, and up to the present time he had always known that he could rely upon the support and sympathy of his fellow-countrymen at home whilst fighting in distant lands. As far as the Government was concerned this support and sympathy had failed him now, and the Secretary of State for the Colonies seemed to consider the slaughter of British soldiers a matter of no moment. From what he heard he did not believe that the Boers were at all inclined to submit to the authority of the British Crown. His noble Friend could hardly expect it. Why, those men asserted that they were fighting for their independence and for the land of their fathers—a great portion of which, by-the-bye, had been pilched from the Natives within the last 20 years. But in his "Instructions" to the Commission his noble Friend proposed to cut off more than one-third of this land, either to be given to Native Tribes or kept under British authority. Did anyone in his senses suppose the Boers—exulting and victorious

—were going to submit to this? Why, in the last Blue Book was printed their notice to a Native Chief not to assist "our enemies the English Government which we have already overthrown." And again they say—"We alone are able to work out the English." If we had defeated them, there might have been some show of generosity in our proceedings towards them; but as matters were the Boers, who, no doubt, considered themsolves a match for us, would not tamely submit to our terms. There was no hope of tranquillity in South Africa until there was a law-abiding population, under a Government which would assert and enforce equal laws for all; and there was no Government which could and would do that save the British Government. It was well known that the Transvaal rebellion took its rise in the refusal of certain persons to pay taxes to the English, as they had previously refused to pay them to the Boer Government. He wished, too, to know what was to be done for the loyal inhabitants of the Transvaal, who had lost their all because they trusted England? There were good words concerning them, no doubt, in the Instructions; but what power would the Commissioners have to enforce their decisions, or to procure any redress for those men? Judging from appearances, he very much feared that we were only at the beginning of our troubles in South Africa, and he should be only too glad if the result should show that he had been mistaken in his prognostications.

**Lord STANLEY of ALDERLEY**: The only sense that can be attributed to the words of Mr. Gladstone's letter are that he considers himself not responsible because no Boers were killed at Laing's Nek or Majuba Hill, and only our own soldiers were sacrificed in vain; but any theologian will tell him that whoever wages an unjust war is responsible for those that fall on both sides. And Mr. Gladstone is responsible for the war, as he did not enter into any communications with the Boers after denouncing the annexation in his Mid Lothian speeches. As to the other matters referred to, I entirely concur with the speech of the noble Duke (the Duke of Argyll).

House adjourned at a quarter before Seven o'clock, to Thursday next, half past Ten o'clock.

*Lord Brabourne*

# HOUSE OF COMMONS,

*Tuesday*, 10*th May*, 1881.

MINUTES.]—Public Bills—*Ordered—First Reading*—Local Government Provisional Orders (Halifax, &c.)* [158]; Local Government Provisional Orders (Acton, &c.)* [159].

*Second Reading*—Gas Provisional Orders* [147]; Local Government Provisional Order (Birmingham)* [144]; Local Government Provisional Orders (Brentford Union, &c.)* [149]; Water Provisional Orders* [146].

## *PRIVATE BUSINESS.*

### NEW STANDING ORDER.

**Mr. E. STANHOPE** moved the following new Standing Order:—

(Local Authorities to have a *locus standi* against Gas and Water Bills.)

"That the municipal or other local authority of any town or district alleging in their Petition that such town or district may be injuriously affected by the provisions of any Bill relating to the lighting or water supply thereof, or the raising of capital for any such purpose, shall be entitled to be heard against such Bill."

The hon. Gentleman said, that anyone who undertook to propose any alteration in the Rules and Orders of the House, and still more anyone who ventured to invade the sacred precincts of the Court of Referees, incurred considerable responsibility. He possessed, however, some knowledge of the practice before Committees upstairs, and the Board of Trade with respect to Provisional Orders. In the first place, he must be allowed to say that although, undoubtedly, the object of his proposal was to overrule the Court of Referees, he did not intend any act of discourtesy towards that body, who rendered great and important services to the House. But the House would recollect that when any particular practice was objected to, and any wish expressed to alter a precedent established by the Court of Referees, the only way in which a re-consideration of the practice or precedent could be secured was by bringing the question regularly before the House, and proposing an alteration of the Standing Orders or a new Standing Order altogether. The proposal which he was about to lay before the House had no reference to any particular case, or to any particular place.

He desired only to discuss the matter as one of the general principles which ought to govern the relations between the local authorities and the Gas and Water Companies of their particular districts. As it stood at present, the Rule practically laid down by the Court of Referees in that House was that when a Gas and Water Company went to that House for the purpose of asking for additional capital, leave to oppose that proposal was not given by the Court of Referees to the local authorities. The object of this new Standing Order was to provide that when a Gas or Water Company came before Parliament, the local authority of the district should be entitled to be heard generally against such Gas or Water Company. Notice of an Amendment had been given by his hon. Friend the Member for East Kent (Mr. Pemberton), who was himself a member of the Court of Referees, and the object of the Amendment was to limit very much the proposal which he (Mr. Stanhope) made. His hon. Friend wished to lay down by the Amendment that the opposition was to be limited to any matter contained in or proposed to be enacted by the Bill. In his (Mr. Stanhope's) opinion, that would be far too limited a proposal. The practice which he desired to establish in that House was exactly the same practice as that which now existed at the Board of Trade in regard to applications for Provisional Orders. And it was the same practice as that which now existed in regard to Private Bills in the House of Lords. He thought that the local authority ought to have power to appear in the case of any application by a Gas or Water Company for an increase of capital. The Gas or Water Company possessed a monopoly practically limited in duration by the amount of its capital; and what was suggested by the Standing Order he now desired to propose was that whenever the Gas or Water Company desired to extend its capital and came to Parliament to ask leave for that purpose, Parliament ought to have the power of reviewing generally all the circumstances of the proposal, and of imposing any fresh conditions which the circumstances of the case might seem to require. In the first place, he thought that this was the manifest intention of Parliament. If not, why did not Parliament, when it first established Gas and Water Companies, give them an easy power by some simple process of acquiring the additional capital which might be necessary for the future development of their undertaking. Parliament decided that it would grant capital to a limited extent only, and that every subsequent application for additional capital must be made to Parliament itself, so that Parliament might have an opportunity of reviewing altogether the terms of the concession. If that were the intention of Parliament, surely it followed as the logical sequence that Parliament intended that the local authority who best represented the interests of the consumers of the particular district should have a *locus standi* before a Committee of the House, and should have an opportunity of calling the attention of the House to the manner in which the monopoly had been exercised, and of explaining whether there were any reasons why a further extension of capital should not be granted, or to suggest the terms on which it should be granted. It was now the constant practice of the local authorities to purchase these undertakings; and in consequence of the existence of that practice, and of the fact that Parliament usually gave its assent to it, it became more necessary to entrust the local authorities with the power of guarding against the unnecessary increase of capital on the part of these Companies. No doubt, in these days there was some safeguard by the introduction of "the auction" clauses; but perhaps he might be allowed to represent to the House that these clauses did not apply at all to Water Companies; and that, over and beyond anything covered by these clauses, there were many other points which had been developed by experience year by year, which showed that those who represented a particular district should be empowered to go before a Committee of the House of Commons. They were told that the passing of this new Standing Order would have the effect of increasing litigation. He could not see why that supposition should be entertained. The adoption of the same principle had not led to any undue litigation in the case of Provisional Orders, or in the case of Committees in the House of Lords. Then why should it be supposed that it would be likely to lead to litigation in this instance? There were one or two safeguards against undue litigation already in existence. First of all, the House would remember that a statutory power was given to every Committee of that House in any case where they considered the opposition to have been frivolous and vexatious, to inflict the costs upon the opposing parties. That power had already been exercised in not a few cases, and must have had the best possible influence upon local authorities in inducing them to abstain from opposing a Bill where their opposition would not be justified. In the second place, the operation of the Borough Funds Act of 1867 had also operated as a salutary check. That Act would be perfectly familiar to the House. Under its provisions it was absolutely necessary before any local authority could oppose a Gas or Water Bill, that it should obtain the sanction of a majority of the ratepayers at a meeting specially called for that purpose. He did not think that at this moment it was necessary to add anything to what he had now stated; but he would simply submit his proposal for the discussion of the House. He felt that the best mode, after all, of protecting the interests of the ratepayers, was to strengthen the hands of the local authorities. He believed, also, that this popular House of Parliament would not refuse to the local authorities the power which day after day, without jealousy and without inconvenience, was given by the House of Lords.

Motion made, and Question proposed,

"That the municipal or other local authority of any town or district alleging in their Petition that such town or district may be injuriously affected by the provisions of any Bill relating to the lighting or water supply thereof, or the raising of capital for any such purpose, shall be entitled to be heard against such Bill."—(*Mr. E. Stanhope.*)

MR. PEMBERTON moved, as an Amendment, in line 4, after the word "against," to insert the words "any matter contained in, or proposed to be enacted by." The hon. Member said, that in rising to propose the Amendment which stood in his name, he hoped the House would allow him very shortly to state, in order to explain the nature of the Amendment, what the practice in the Court of Referees was, how it had arisen, and how it was regulated. He thought that his hon. Friend had not described the course of the practice of the Court of Referees quite accurately, and he hoped that he should be able to set him right in one or two points. The Standing Order under which the Court at present acted was the one numbered 134, which said—

> "It shall be competent for the Referees on Private Bills to admit the petitioner, being the municipal or other authority having the local management of the Metropolis, or of any town, or the inhabitants of any town or district alleged to be injuriously affected by a Bill, to be heard against such Bill if they shall think fit."

Under that Order the House would see that the power given to the Referees was optional. They might, as they thought fit or not, allow the local authority of any town or district alleged to be injuriously affected to be heard against the Bill. And he might say this—that in every case that had been before the Court, wherever any alteration was sought to be made, either in the quantity or the quality of the gas or water supply, or in the extension or diminution of the limits of the district, or in the price of the gas or water supplied, the Petitioners in every case had been admitted. They had gone further than that. They even admitted them in a case where the place of testing the gas was simply altered—where it was shifted from one place to another. They had considered that even so trifling an alteration formed a sufficient ground for their admission. The only cases in which they had ever been refused a *locus standi* were cases where it was simply sought to raise additional capital, and upon that point he must entirely differ from his hon. Friend who had moved this new Standing Order. Where new capital was sought to be raised it did not in any way increase or extend the monopoly, but it simply gave additional facilities to the Companies for the purpose of carrying out purposes which the Legislature had previously sanctioned and authorized. Of course, the Court of Referees were only anxious to carry out the Orders of the House, and it would relieve them, to a great extent, from very laborious duties if this Standing Order was carried. The House would observe that his Amendment did not in any way oppose the principle—as he understood the principle—of his hon. Friend's Motion. His hon. Friend wished, in cases where additional capital was to be raised, that, as a matter of course, the Local Government Boards should be admitted. His (Mr. Pemberton's) Amendment did not deal with that in any way. He thought that a great deal might be said against that proposition. It might give rise to a great deal of increased expense and of unnecessary litigation; and in reference to the statement of his hon. Friend that the Local Government Boards were checked by the operation of the Borough Funds Act, he might point out to his hon. Friend that that was not so in practice, because, although the Local Government Board could not charge the rates without the previous consent of the inhabitants, yet they constantly in practice did it, and took their chance of getting it confirmed afterwards. On these occasions opposition was raised in many instances unnecessarily, and he thought with very great disadvantage and discouragement to people who had invested their money in undertakings which had already been sanctioned by the House. His hon. Friend had referred to the practice of the House of Lords and of the Board of Trade; but in neither of those cases could he draw a single argument in favour of his Resolution. The practice was entirely different, and could not be compared in any way to that of the House of Commons. In the House of Lords the same Committee decided on the merits of a Bill, and also the question whether the Petitioners should have a right to be heard or not. It was therefore as a matter of course that they were permitted to be heard in every case, because the Committee which decided the question of merits also settled the question of *locus standi*. With regard to the practice of the Board of Trade, the rule is this—Whenever a measure is proposed, an officer of the Board was sent down to the country, and he admitted everybody to state their objections as a matter of course. He did not think that his hon. Friend proposed that everybody, as a matter of course, should be allowed to petition against a Bill in that House. All he (Mr. Pemberton) proposed to do was to carry out what he believed to be already the Standing Order, and certainly the intention of the House. The object of his Amendment was simply to restrict the Petitioners to those points which were raised by the Petition and by the Bill. There was already a Standing Order, No. 128, which he was convinced had that object in view. It was in these terms—

> "No Petition against a Private Bill, or Bill to confirm any Provisional Order or Provisional Certificate, shall be taken into consideration by the Committee on such Bill which shall not distinctly specify the ground on which the Petitioner objects to any of the provisions thereof; and the Petitioner shall be only heard on such grounds so stated; and if it shall appear to the said Committee that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in that Committee a more specific statement in writing, but limited to such grounds of objection so inaccurately specified."

He thought that on reading that through for the first time the impression on the House would most certainly be that it was intended that in no case of any Private Bill should the Petitioners be entitled to be heard, except on grounds of objection to the Bill stated in their Petition. But in practice it had been held that these words did not go far enough; that although, as far as any objection taken to a provision of the Bill there must be a distinct ground of such objection stated in the Petition, yet it did not in terms say that in a case where something was raised in the Petition which was not raised by the Bill, the Petitioner should not be heard on any such statement. He thought nobody could read that Standing Order without being convinced that that was the intention of the framers of the Order and of the House in passing it. All that his Amendment did was in the way of general application; but, of course, as the proposed new Standing Order applied only to Gas and Water Bills, it would at present apply only to Gas and Water Bills, although he thought it was one which should be of general application, and which, he believed, only carried out the existing Order No. 128. In this case, he thought it would not in any way interfere with his hon. Friend's proposal. It would in no way prevent a Petitioner from stating any objection to a Bill, and it would not prevent them from being heard as to their objection. It would only prevent, in the first case, a Petitioner raising something for the first time of objection which was in no way contemplated by the Bill, and which was really not one of the issues between the parties. He thought he might give an illustration of a practice which he thought very objectionable, and which he thought the Amendment would remedy. During the present Session the South Eastern Railway Company — a Company with which he had no connection whatever — brought in a Bill simply to enable them to purchase an existing railway of a few miles in length, made by a private Company. In the way of objections, there were allegations raised by the Petitioners against the Bill that the fares charged by the Railway Company, not on the particular line they were about to purchase, but on an entirely different part of their system, were too high, and they asked the Committee appointed simply to inquire into a question whether one Railway Company might sell to another Railway Company their existing undertaking, to go into the whole question of rates and tolls charged by the purchasing Company in an entirely different district. There was a Committee now sitting on the general question of railway rates which might be a fitting tribunal to enter into such matters; but he did not think that on a Bill which in no way raised issues of that sort, the Petitioners should be allowed to spring a mine upon a Railway Company and propose to undo that which the Legislature only a few years before had carefully inquired into and sanctioned. With these few observations he would move the Amendment of which he had given Notice.

Colonel MAKINS seconded the Amendment. He thought that a new Standing Order was hardly necessary at all; and it appeared to him that, to some extent, it cast reflections upon the Court of Referees and their action in the past. But even if the House considered that a new Standing Order was to some entent necessary, he was quite sure it was only fair that it should be qualified in the manner proposed by the Amendment. His hon. Friend below (Mr. E. Stanhope) had stated with regard to Gas and Water Companies that they had a monopoly; but he forgot to state that that monopoly was a restricted one, and that it was accompanied by compulsory provisions requiring them to carry out the business they undertook, and to supply the public with the article water or gas they were empowered to produce or distribute. Therefore, under these circumstances, there was no inducement on the part of a Company to come to Parliament for fresh capital, because since the adoption of the auction clauses and the sliding scale initiated by Mr. Forster's Committee some years ago, it was absolutely of no advantage whatever to a Company to increase their capital. If this Standing Order passed in the words proposed by his hon. Friend, a direct encouragement would be given to the local authorities to interpose with roving Petitions in every case where a Company asked for new capital, and they would be induced to go behind the Bill and raise questions that long ago had been settled on general principles by Committees of that House. The adoption of the Standing Order would also have another effect that would be very unfair to a Company and very undesirable, for it would enable a Corporation who had an intention of acquiring the business of a Company first to attack them in Parliament when they applied for power to raise new capital, and then, having reduced the value of the undertaking by attacking it in Parliament, they might be able to purchase it more cheaply. The Company was bound to supply gas or water, and was bound to come to Parliament, as their district extended, for further powers; and it was certainly not in accordance with his ideas of fairness that in endeavouring to fulfil a responsibility forced upon them by Parliament they should be subjected to the cost and injury which the adoption of this new Standing Order would throw upon them. As he knew there were other Members of the House who wished to speak upon the subject, he would content himself with having stated the views of the Companies and with having seconded the Amendment.

Amendment proposed,

In line 4, after the word "against," to insert the words "any matter contained in or proposed to be enacted by."—(*Mr. Pemberton.*)

Question proposed, "That those words be there inserted."

Mr. MAPPIN expressed a hope that the House would agree to the Motion of the hon. Member for Mid Lincoln (Mr. E. Stanhope). He could assure the House that under the present Standing Orders considerable difficulties were placed in the way of Municipal Corporations and other local authorities in opposing Bills of this nature. In a town with which he was connected—Sheffield—these difficulties had been felt only this very year. A Bill had been introduced into Parliament to increase the capital of the Water Company there; but the Corporation had been unable to have their objections to the Bill explained to a Committee, although very considerable differences existed between the inhabitants and the Water Company, and a very large sum of money had been expended in obtaining a legal decision in reference to those difficulties, and the Water Company were requested to have the matter definitely settled by a clause being introduced into their Bill before the present Session of Parliament, but which they declined to comply with, and the Corporation had no *locus standi*, the Bill being promoted only for the raising of additional capital.

MR. STAVELEY HILL hoped he might be allowed to say a word in favour of the Amendment of his hon. Friend the Member for East Kent (Mr. Pemberton). The original proposition for a new Standing Order might very well, he thought, be negatived. It was proposed that there should be an alteration of the existing Standing Orders, and that the local authorities should have power to oppose all applications by Gas and Water Companies for obtaining additional capital. The question then arose as to the extent to which this power of petitioning should be limited, and he fully endorsed all that had been said by his hon. Friend the Member for East Kent. The new Order proposed by the hon. Member for Mid Lincoln was not drawn, in his opinion, with sufficient care. It would allow the local authorities on presenting a Petition to go into a great variety of extraneous questions. He was quite sure he should have the assent of the Chairman of Ways and Means when he said that it would be much better to keep the parties, when they went before a Committee, to the absolute issue that was raised by the Bill. Let them come in and have full opportunity of being heard on the matters proposed by the Bill; but do not allow them to enter widely into questions which had nothing whatever to do with the Bill. The least the House could do, if they adopted the proposed Standing Order at all, would be to adopt it with the Amendment moved by the hon. Member for East Kent.

MR. CHAMBERLAIN: The question which has been raised by the hon. Member for Mid Lincoln is one which, on the one hand, is largely interesting to the directors and shareholders of Gas and Water Companies, but which, on the other hand, interests most directly the various local authorities throughout the country who think they are prejudiced by the present practice, which prevents them from appearing to oppose these Companies when they come to ask Parliament for power to raise additional capital. As representing the Board of Trade, I have given the most careful consideration to the matter, and I have come to the conclusion that the proposal of the hon. Member for Mid Lincoln is one that the House would do well to adopt. In saying that I beg to observe that I do not conceive that I am in the slightest degree casting any imputation upon the action of the Referees. This action, however, appears to have become much more stringent in the last few years than it formerly was. I received a letter this morning from Mr. William Livesey, the Secretary of the Gas and Water Companies' Association, and in that letter he says—

> "I have been engaged in Parliamentary matters more than 30 years, and as Secretary to this Association more than 12 years; and, so far as my knowledge extends, the rule has always been that when a Company applies for power to raise additional capital the local authority is entitled to inquire into all its powers."

It is only recently that the Standing Orders Committee have refused this privilege universally to the local authorities. Mr. Livesey goes on to say—

> "Although this latter part has not always been adhered to, I believe that, notwithstanding the recent decisions on the question of *locus standi*, this is the general understanding of the Provincial Companies at the present time, and that there is no desire on their part to alter it. If, however, the decisions are upheld, the Companies will, of course, take every opportunity of turning them to account."

I agree with the hon. Member for Mid Lincoln that there are no grounds why this House should not agree to the practice already adopted by the House of Lords and by the Board of Trade in the case of applications for Provisional Orders. The hon. Member for East

Kent (Mr. Pemberton) says the two cases are not analogous. To that I assent; but, at the same time, I must be allowed to say that the result of the practice in the House of Lords is that the local authorities have there this power of opposing which is denied to them under the interpretation of the Standing Orders of the House of Commons. I regret that I cannot see my way to the acceptance of the Amendment which has been proposed by the hon. Member for East Kent. That Amendment would have the effect of limiting the proposal of the hon. Member for Mid Lincoln, and would make it practically of no effect at all. Mr. Livesey, in his letter, points this out very clearly. He says—

> "If a Company exhausts its capital or uses all its land it is obliged to come to Parliament for further powers; but it is hardly possible to conceive a case in which a Company would be obliged to come to Parliament for an alteration of the price they are charging or the illuminating power of the gas they are supplying; and under the proposed Amendment, so long as these points were carefully excluded from the Bill, the public would not be entitled to inquire into them."

Mr. PEMBERTON begged the right hon. Gentleman's pardon. The effect of his Amendment would be to allow the local authorities to be heard on everything relating to the proposed additional capital.

Mr. CHAMBERLAIN: Precisely; but they would not be entitled, on the proposal of a Company to double its capital, to raise any question as to the quality of the water or gas supplied or the price charged. That is, I think, a most important matter. At the present time the great majority of the Gas Companies are not under the sliding scale system. The first thing to be done in connection with the sliding scale system is to fix the initial price, and in that question the local authorities have the greatest possible interest as representing the communities. And yet, under the Standing Orders, with this Amendment of the hon. Member for East Kent, the local authorities would not be entitled to appear. The only objection of any force which has been taken to the proposal of the hon. Member for Mid Lincoln is that it would have the effect of seriously increasing the cost of Private Bill legislation. I do not deny that there is some force in that objection; but I would submit to the House that if this litigation is expensive, that is a reason for altering the process of litigation and for endeavouring to substitute another and less expensive mode, but is no reason for shutting the door against those who desire to be heard against the proposals of a Private Bill. Under these circumstances, I hope the House will reject the Amendment of the hon. Member for East Kent and accept the proposal of the hon. Member for Mid Lincoln.

Mr. LYON PLAYFAIR (who was very indistinctly heard): I am sorry to disagree with my right hon. Friend the President of the Board of Trade with regard to the Amendment which has been submitted by the hon. Member for East Kent, and I shall certainly feel it my duty on this occasion to vote for that Amendment. I entirely agree with the proposition that the local authorities should have a *locus standi* to be heard against every Bill which affects the interests of the locality they represent. The only difference between the Motion and the Amendment is that the latter limits this right to the subject-matter of the Bill, and does not open up past issues settled formerly by often protracted and expensive contests. Recent legislation in regard to Private Bills has kept in view the necessity of diminishing, as far as possible, the expense of promoting Private Bills, whether it be incurred by a Municipality or by a private Company. I think that the effect of the proposal of the hon. Member for Mid Lincoln would be to bring every Private Bill affecting a Municipality before a Committee upstairs, and would enable the local authorities to rake up every question that may have been decided by previous legislation, and might consequently increase enormously the cost of promoting a Private Bill. Let me give an instance in order to show how seriously the adoption of the proposal now submitted to the House may affect the public interests in a particular locality. Suppose that a Company desires to obtain facilities for the supply of water or gas to the suburbs of a town, and for that purpose asks for power to raise additional capital. If the local authorities have the right of opposing them in regard to the powers they already possess, the Company will naturally be afraid of coming to Parliament on account of the excessive expense they might incur. They will therefore refrain from petitioning for a Bill and asking for additional capital, and the suburbs in question would be deprived of the benefit they would derive from the extension of the supply of gas or water. The mere extension of works, for which Parliamentary authority is required, might be made the ground for a renewed contest all along the line. I think, therefore, that it would be inexpedient to give the local authorities, on a question of raising additional capital, a *locus standi* in matters relating to the quality of the water or the supply of water, or to the quality of the gas or the supply of gas, when these questions have once been decided. I do not think it would be right, in such a case, to allow the local authorities to rake up every question that has been previously decided, for this would inflict great expense not only upon the private Company promoting the Bill, but upon the Municipality itself, and it must be borne in mind that this double expense ultimately falls on the consumer. I see nothing, however, but advantage in asking for a *locus standi* on the subject-matter of the Bill. For these reasons, I am prepared to support the Amendment moved by the hon. Member for East Kent.

MR. RODWELL was anxious to say a few words upon the question before the division took place. He had had a considerable amount of practical experience, and he certainly agreed to the principle of the proposition made by the hon. Member for Mid Lincoln. He also agreed with his right hon. Friend opposite (Mr. Lyon Playfair) as to the danger of allowing the municipal authorities to be heard in opposition upon points that had no connection with the subject-matter of the Bill. The state of things in regard to Water Companies and the municipal authorities was very different from what it was a few years ago. The relations with these Companies now with the public were of such a description that it was necessary that Gas and Water Companies should be opposed when they went to Parliament for the purpose of increasing their capital, because that increase of capital involved a great many considerations, which might be fairly raised before a Committee. He should be the last person to say a word in disparagement of the Referees, who had rendered such great service to Private Bill Committees by lessening time and expense; but while he recognized the principle of the Standing Order proposed by his hon. Friend the Member for Mid Lincoln he should certainly vote for the Amendment.

SIR JOHN MOWBRAY admitted the long experience which his hon. and learned Friend the Member for Cambridgeshire (Mr. Rodwell) possessed; but he begged to say at once that, as far as his judgment went, he should support the original Motion of his hon. Friend the Member for Mid Lincoln, for the considerations which had been so well put by the right hon. Gentleman the President of the Board of Trade. The Motion of the hon. Member for Mid Lincoln was not intended as a reflection upon the Court of Referees, but to assimilate the practice of that House with that of the House of Lords and of the Board of Trade. He hoped his hon. Friend the Member for East Kent (Mr. Pemberton) would not put the House to the trouble of a division.

MR. WHITLEY entertained a strong feeling in favour of the Motion which had been made by the hon. Member for Mid Lincoln (Mr. E. Stanhope), and was quite satisfied that the Municipalities, as a body, would be much indebted to the right hon. Gentleman the President of the Board of Trade for giving his support to the Resolution. He was sure he was expressing the feeling of everyone who had anything to do with municipal government when he said that they always felt a great difficulty in opposing any provisions submitted in a Private Bill by Gas and Water Companies. Representing, as they did, the localities, and bearing in mind the interests that were at stake when measures of this kind were promoted, they felt that they should always be allowed the opportunity of going before Parliament whenever such Bills were submitted.

Question put.

The House *divided:*—Ayes 65; Noes 311: Majority 255.—(Div. List, No. 200.)

Main Question put, and *agreed to.*

*Ordered,* That the municipal or other local authority of any town or district alleging in their Petition that such town or district may be injuriously affected by the provisions of any Bill relating to the lighting or water supply thereof, or the raising of capital for any such purpose, shall be entitled to be heard against such Bill.

*Ordered*, That the said Standing Order (Local Authorities to have a locus standi against Gas and Water Bills) be a Standing Order of this House.

### LOCAL GOVERNMENT PROVISIONAL ORDERS (HALIFAX, &c.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Halifax and Leeds and the City of Manchester, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented*, and read the first time. [Bill 158.]

### LOCAL GOVERNMENT PROVISIONAL ORDERS (ACTON, &c.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Acton, Buxton, and Crompton, the Port of Harwich, the Improvement Act District of Llandudno, the Borough of Monmouth, the Local Government District of Normanton, the Borough of Pontefract, the Local Government District of Wallasey, the Borough of Walsall, the Improvement Act District of Wath-upon-Dearne, and the Local Board of Health District of Woolwich, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented*, and read the first time. [Bill 159.]

## *QUESTIONS.*

### ROYAL IRISH CONSTABULARY — SUB-INSPECTORS.

MR. FAY asked the Chief Secretary to the Lord Lieutenant of Ireland, Is it the case that, when the pay of the Irish Constabulary was increased in 1872, the sub-inspectors were the only members of the Force whose work was increased by the enlargement of their districts, and yet they got the smallest addition to their pay; so small, in fact, that it did not do more than cover the extra travelling expenses consequent on the enlarged district; is nearly half the income of Constabulary officers made up of "allowances;" and, is it the case that these "allowances" are ignored when pensions are calculated, whereas in all other branches of the Civil Service the officials have one fixed sum for salary, on the whole of which their pensions are calculated?

MR. W. E. FORSTER was understood to say it was the case that when the pay of the Constabulary was increased in 1872 the sub-inspectors were the only members of the Force whose work was increased. Between 1874 and 1877 the number of sub-inspectors was reduced. It was again increased last year; but it was still under what it was in 1874. The sub-inspectors received considerable allowances, and, as a general rule, the allowances were not taken into account when the pensions were being calculated.

### CRIMINAL LAW — CASE OF CHARLES FROST AND EDWARD SMITH.

MR. WARTON asked the Secretary of State for the Home Department, Whether it is his intention in the case of Charles Frost and Edward Smith (who were on the 1st of November 1878 convicted of burglary, but who being subsequently shown to be innocent received on the 26th of August 1880 a free pardon) to recommend that they, or either of them, should receive any compensation or solatium in the shape of money or otherwise?

SIR WILLIAM HARCOURT, in reply, said, that after careful inquiry into this case he had come to the conclusion that it was a case of mistaken identity, and consequently he had advised that a free pardon should be given to those men. But he did not find that the circumstances of the case brought it within the very rare instances in which compensation had been made for the miscarriage of justice. He was happy to say that, as to one of the men, he had been able to find employment for him in the Public Service, for which the man had expressed himself grateful. The other man he had heard nothing of since.

### CURRENCY—MONETARY CONFERENCE AT PARIS—BI-METALLISM.

MR. THOROLD ROGERS asked the First Lord of the Treasury, Whether the mission of Sir Louis Mallet to Paris, who is understood to have gone thither with a view of taking part in the Monetary Conferences, is to be interpreted as giving any sanction on the part of Her Majesty's Government to the project of conferring a fictitious value on one of the metals employed as currency, and of aiding whatever consequences may reasonably be anticipated from the adoption of what is called "Bi-metallism?"

MR. GLADSTONE: In answer to the Question of my hon. Friend, what

I have to state is this. The French and American Governments have accepted the terms on which the delegates were to be sent, on the part of India, to the Monetary Conference before these delegates were nominated, and therefore the view supposed to be entertained by Sir Louis Mallet does not enter into the question. The terms upon which the attendance of the British delegate was accepted were these—The Secretary of State for India, in Council, would not be held by his actions to commit the Government of India to any act or proceeding in the nature of the adoption of the principle of bi-metallism. He was unwilling to encourage the expectation of any material change in the monetary policy of India; but he would favourably consider any measure for adoption in India calculated to promote the re-establishment of the value of silver. That is the extent of the pledge given; and I do not believe there is any necessity for making any additional proposal.

## ARMY—PORTABLE ENTRENCHING TOOLS.

SIR BALDWYN LEIGHTON asked the Secretary of State for War, Whether any, and, if so, what, steps have been taken with a view to providing English infantry regiments or portions of such regiments with portable entrenching tools, such as have long been in use in the Austrian and Roumanian armies; and, if not, whether he can state the reason why such equipment is deemed unnecessary or undesirable?

MR. CHILDERS: In reply to the hon. Baronet, I have to state that this question has not been neglected. Two hundred and eighty-five Roumanian spades were issued last year to eight battalions for trial. The reports were generally satisfactory; the spade was well adapted for use in light soil, but not in heavy or hard soils. Seventy spades, of a pattern recommended by the School of Military Engineering, are now being tried in the same battalions. This spade is longer than the other, and has a different shaped head. A portable spade is included in the proposed equipment for the Infantry soldier, and the Roumanian spade can be so carried. Three thousand spades of this pattern have been sent to South Africa; but the question as to the best portable entrenching tool is not yet settled.

## STATE OF IRELAND—ALLEGED FORCED LABOUR.

MR. BURT asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to an article which appeared in the "Newcastle Chronicle" of the 3rd instant, under the heading of "What the Miner's Agents saw in Galway," in which, among other statements of great hardship and poverty suffered by the tenants and labourers, it is declared that a system of slavery and forced labour exists in that part of Ireland; whether, in particular, he has noticed the following passage:—

> "Mr. Bryson remarked, on the principle that a horse may be led to the water yet he cannot be made to drink, that, after going to the landlord's place by compulsion, they need not work harder than they liked; but he was met by the retort from the men to the effect that the agent, or some one deputed by him, stood over the tenant, armed with a stout cudgel, which he did not fail to lay on to the back and shoulders of the tenant if he showed any signs of shirking his work. The exclamation 'Impossible!' broke out from both of us involuntarily, as we could not for one moment realise that such a system of slave-driving could exist. Up jumped one of the men before us, a respectable-looking man enough, who told us that if we had the slightest doubt on this matter of the stick, he would then and there strip to the skin, and show us undeniable evidence of the beatings he had sustained, the shape of sundry bruises and discolouration which he had received at the hands of the bailiff;"

whether he can confirm, contradict, or give any information relative to these statements; and, if they are true, whether he can do anything to afford protection to these tenants and labourers against the infliction of such gross cruelties and indignities upon them?

MR. W. E. FORSTER: The hon. Member was kind enough to show me the newspaper from which he has made an extract, and I cannot believe that there is any truth in the statements referred to. I have received no information, either official or otherwise, which tends in the slightest degree to confirm them, and I really think the statements appear to be quite incredible.

MR. T. P. O'CONNOR asked, whether the right hon. Gentleman had received information contradicting those statements?

**Mr. W. E. FORSTER**: If the House looks at this Question, it will see that it is utterly impossible for me to have received such information. The statement is that injury has been inflicted on some persons in the county of Galway. I do not suppose that anyone who is in official communication with me is acquainted with everybody in the county of Galway. We have never received any information which gives us the slightest reason to believe it is true, and I do not believe it.

## STATE OF IRELAND—RELIGIOUS PROCESSIONS IN BELFAST.

**Mr. BURT** asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state whether it is true, as reported in the Belfast newspapers, that three Primitive Methodist Ministers have been summoned before the magistrates of that town and sentenced to fourteen days' imprisonment for singing hymns and conducting a procession through the streets, though it was proved by the testimony of the policemen who prosecuted that the procession was most orderly and well-behaved; and, whether, if this is true, the conviction was legal; and in any event he will obtain an explanation regarding a sentence apparently extremely severe under the circumstances?

**Mr. W. E. FORSTER**: I find that three Primitive Methodist ministers were summoned before the Belfast borough magistrates, under the Borough Act, which provides that any person who shall be guilty of riotous or indecent behaviour shall be liable to a penalty of 40*s*. In two cases the defendants were fined 40*s*., and in default to be imprisoned 14 days. The case against the third was adjourned, and an appeal is to be heard on the 17th instant. I cannot pronounce any opinion on the legality of the conviction. I am informed that singing hymns in the public streets, accompanied by a large crowd, was considered to be an offence; and I must remind my hon. Friend and the House that very frequently crowds and processions in Belfast have excited serious disturbance.

## THE ISLANDS OF THE SOUTH PACIFIC—MURDER OF BRITISH SUBJECTS.

**Sir JOHN HAY** asked the Under Secretary of State for the Colonies, If he can state the number of British subjects murdered since the 1st of January 1880, including the officers and crews of the "Ripple," "Esperanza," "Lolia," "Mystery," "Borealis," "Dauntless," "Annie Brooks," and H.M.S. "Sandfly," in the Pacific, and how many of the murderers have been tried at Levuka or elsewhere?

**Mr. GRANT DUFF**: I fear it is but too true that not a few British subjects have recently been murdered by savages in the Pacific; and if the right hon. and gallant Admiral will repeat his Question some day next week—perhaps on Thursday—I will endeavour to get full particulars for him.

## SOUTH AFRICA—THE BASUTOS (NEGOTIATIONS).

**Mr. ASHMEAD-BARTLETT** asked the Under Secretary of State for the Colonies, Whether it is true that the Basutos have rejected the terms of peace, that an Africander Ministry is about to be installed in Cape Town, that a repudiation of British sovereignty is imminent in consequence of the general disgust at the Transvaal Peace, that the governor, Sir Hercules Robinson, is now 1,000 miles away in the Transvaal, and that a Colonist of influence is on his way to England with claims against the Home Goverment to the amount of £5,000,000 from loyal Colonists who are being driven out of the Transvaal; and, whether Her Majesty's Government will state what steps they propose taking to preserve British sovereignty and the ten million pounds' worth of yearly trade between this Country and South Africa?

**Mr. GRANT DUFF**: We have not heard that the Basutos have rejected the terms of peace, nor have we any news from Basutoland. The new Cape Ministry seems a very fairly representative one, so far as we can judge from the lists which have appeared. A repudiation of British sovereignty is not imminent. Sir Hercules Robinson is, I should think, quite 1,000 miles from Cape Town, though in constant telegraphic communication with that place. He is not in the Transvaal, but in Natal. We have heard nothing of the influential Colonist; and I should regret that any Colonist, influential or otherwise, had embarked upon what could hardly be described as "a wise man's errand." In reply to the hon. Member's sixth and last Question, I would say that it will be my duty to answer it pretty fully when the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach) makes his intended Motion; but that to do so now, even in the most cursory manner, would oblige me to tax the patience of the House to an altogether intolerable extent.

## FRANCE AND TUNIS—INVASION OF TUNISIAN TERRITORY.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether any assurance has been given in writing to Her Majesty's Government by the French Government to the effect that the French Forces will be withdrawn from Tunisian territory as soon as the Kroumir question has been disposed of?

SIR CHARLES W. DILKE: Her Majesty's Government have received no written assurance to this effect from the French Government; but the French Minister for Foreign Affairs has more than once disclaimed in his conversations with Lord Lyons any intention on the part of the French Government to annex Tunis. The latest assurances given to Lord Lyons by M. Barthélemy St. Hilaire, which were of a very decided character against conquest or annexation, have already been made known to Parliament by my noble Friend, Lord Granville.

## STATE OF IRELAND—ALLEGED OUTRAGE AT BALTINGLASS.

MR. M'COAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state to the House the Report received from the Irish Police authorities respecting an alleged riot at Baltinglass on Thursday last, in which, according to the Dublin correspondence of the "Times" of Saturday, many Protestant houses were wrecked, and other serious outrages committed? He wished to add that he had received telegrams contradicting the report, and stating that it was a case of a few boys throwing some stones, the matter being grossly exaggerated.

MR. W. E. FORSTER: All I can say is, I have not yet received sufficient information with regard to this matter, and the hon. Member will be kind enough to repeat the Question on Thursday or Monday.

## LAW AND POLICE—ELIZABETH BURLEY.

MR. HOPWOOD asked the Secretary of State for the Home Department, Whether his attention has been called to the letters of Elizabeth Burley and Mr. Alfred Dyer, in the "Daily News" of yesterday, Monday 9th May, the former asserting her innocence of the conduct imputed to her, and the latter detailing circumstances and the opinions of others in confirmation of her assertion; and, whether he will deem it right to cause inquiry to be made by an impartial person with such care and discretion as an investigation into the character of a woman demands?

SIR WILLIAM HARCOURT, in reply, said, if this poor girl were innocent, there was no doubt that a great wrong had been done her, and she was entitled to entire sympathy and redress; and he was sure that his hon. and learned Friend would not doubt that he was as anxious as he was that entire justice should be done to her. When he was questioned on this subject, he was bound to answer according to the information which was accessible to him. Anyone conversant with this painful class of cases must know how difficult it was, in the midst of prejudice by which such cases were surrounded, to arrive at the exact truth. When called upon to form a judgment in this instance, he did not think it right to rely on the statement of the girl herself, or upon the statement of the police, both of which would be naturally biassed. He looked rather to the surrounding circumstances, and to the statements of unprejudiced witnesses and persons not likely to be deceived. In the proceedings before the magistrates, the chaplain, who had acted as the girl's friend, made a statement which appeared to be altogether inconsistent with his belief in her innocence. At the conclusion of the proceedings, one of the magistrates who heard the case said he had had some conversation with the unfortunate girl, and that she had expressed her willingness to act properly if anything could be done for her. The Chairman said he "could do no more." If the magistrates had been of a different opinion, they would have condemned the conduct of the police, which they did not do. His (Sir William Harcourt's) position was not an easy one. He had, on the one hand, to take care that no one was molested on unjust suspicion, nor, when justly suspected, that they were harshly dealt with; but, on the other hand, he had to see that the police were not deterred by unfair accusations from the discharge of a difficult duty. He had already stated that if the girl was not innocent the police had acted with a want of discretion for which they would be severely reprimanded. If the girl was innocent, the case would assume a different aspect, and would have to be dealt with in a different manner. If an innocent girl was pursued with unjust suspicion, she was entitled to all the reparation that could be afforded her. He had already directed that inquiry should be made and the facts ascertained by all the means at his disposal. If his hon. and learned Friend could suggest any more effectual manner of dealing with the matter, he should be most happy to co-operate with him for arriving at the exact truth of the case.

## PARLIAMENTARY OATHS (MR. BRADLAUGH).

Mr. PARNELL rose to put a Question to the Chief Secretary for Ireland, when——

Mr. BRADLAUGH, who had been standing below the Bar, advanced again to the Table, and, amid cries of "Order!" from Mr. Speaker and the House, said: I am here, Sir, in order that I may fulfil the duty imposed upon me by Law, as a duly elected Member, and take the Oath required by Law.

Mr. SPEAKER: The House has already ordered that Mr. Bradlaugh, upon presenting himself to take the Oath, should withdraw below the Bar. Until the House has otherwise ordered, I shall consider that that Order of the House is in force; and I, therefore, in fulfilment of my duty to this House, call upon Mr. Bradlaugh to withdraw.

Mr. BRADLAUGH: Most respectfully I submit, Sir, that the Order of the House is illegal, and I refuse to obey.

Mr. SPEAKER: In discharge of the Order of the House, I call upon the Serjeant at Arms to remove Mr. Bradlaugh.

The Serjeant at Arms accordingly conducted him below the Bar.

Mr. BRADLAUGH, standing at the Bar: It is my intention to refuse to obey the Order of the House, as it is illegal.

Mr. SPEAKER: The House has been the witness of the course taken by Mr. Bradlaugh, and my powers in this matter being exhausted, I must ask the House for instructions as to the course to be taken, so as to secure the orderly conduct of Business in this House.

Sir STAFFORD NORTHCOTE: I do not know, Sir, whether I am to conclude from the silence of the Leader of the House and of the Government that it is his intention to pursue upon this occasion the same course which he pursued upon former occasions. When an intimation is given to me that it is the intention of the Leader of the House to make any proposal I shall resume my seat, considering that it is more appropriate for him to take steps to support your authority and the Order of the House than it is for a private Member. But, in the absence of any such intimation, I beg to make a Motion, and the Motion I shall submit to you is this—

> "That the Serjeant at Arms do remove Mr. Bradlaugh from the House, until he shall engage not further to disturb the proceedings of the House."

It appears to me that this meets the case. It is necessary that the Order of the House should be preserved. We have no desire to press anything in the shape of penal infliction upon Mr. Bradlaugh; but we think it absolutely essential that we should take steps to preserve the peace and order of the House.

Motion made, and Question proposed,

> "That the Serjeant at Arms do remove Mr. Bradlaugh from the House, until he shall engage not further to disturb the proceedings of the House."—(*Sir Stafford Northcote.*)

Mr. GLADSTONE: I think the right hon. Gentleman has made a Motion which, from his point of view with respect to this question, is perfectly consistent and becoming, and in making that Motion he has used language to which no one can take exception—language of which certainly I do not feel that I am at all entitled to complain. I am, however, desirous that he should distinctly understand the exact nature of the difficulty which leads me, after very full reflection, to consider myself disabled from making such a Motion. On the other hand, I do not hold myself bound to resist the Motion, nor do I encourage resistance on the part of others. On the contrary, I think it is our duty as a minority—I am referring back to a recent occurrence—to tender a respectful submission to the Order of the House. But the right hon. Gentleman will see that it is one thing to respectfully support the Order of the House, and another thing to undertake to guide the House by making a Motion. My belief has been all along, and is still, that Mr. Bradlaugh — whether right or wrong in his own mind—is legally entitled to come into this House and take his seat. With that belief it would not be consistent, it would not be becoming, it would not be dignified, and I do not think it ought to be an acceptable service to the House that I, who entertain that belief, should be the person to move that Mr. Bradlaugh should be taken away from this Table, where I think he has come to discharge the duty which the law requires him to discharge. That is the ground, and not any indisposition to interfere with the proceedings of the House, nor any indisposition to assist and support the authority of the Speaker in the Chair, but a very definite conviction that has led me to see that it is clearly wrong on my part to undertake or to endeavour to guide the House; but it leaves me still fully persuaded that it is right and fit that I should respectfully submit to the House, and that I should tender, as far as I may venture to do so, to those who think with me on the general question, a recommendation that they should pursue a similar course.

MR. LABOUCHERE: I have not risen to ask the House to divide against the Resolution. As the Prime Minister has said, this is the logical outcome of the Resolution passed by a majority of the House the other day. It is very evident that we are here to carry on Business, and that it would be impossible to carry it on if Mr. Bradlaugh were to exercise what he considers, and what we consider, his statutory rights, and persistently to come up to that Table to take the Oath. Therefore, I am not going to ask the House to divide against this Resolution; but I would ask the right hon. Gentleman the Member for North Devon to be good enough to explain what is the precise meaning of the Resolution, because I think many Gentlemen here do not quite understand what it is. Is it that Mr. Bradlaugh should be forbidden to enter the precincts of this House; and, if so, perhaps the right hon. Gentleman would tell us what those precincts are? It is simply for information that I ask, and not with any intention of opposing the Resolution.

SIR STAFFORD NORTHCOTE: I understand that when a Gentleman has been returned as a Member of this House, and from any circumstance is unable to take his seat in the House, or is restrained from doing so—as has been the case in several instances, and among them in that of Baron Rothschild, who was in that position for several years—the Gentleman so returned is regarded as an incomplete Member of this House, and as such is entitled to take his seat below the Bar. That has been the practice which has been followed in these cases, and Mr. Bradlaugh has lately followed that example himself, and even remained there during our divisions. It is obvious that Mr. Bradlaugh, remaining in that position, can at any moment, with great ease, enter the body of the House, which he claims to be legally entitled to do, for the purpose of tendering to take the Oath at this Table. I think it impossible that, so long as Mr. Bradlaugh retains that position, it is impossible for the House to have any security that its proceedings will not be interrupted at a moment's notice, and scenes which we all feel, whatever our opinions, to be deplorable may occur. I therefore by the Motion propose that Mr. Bradlaugh shall be excluded from the House—that is to say, that he shall not come within the door that is kept by the doorkeepers, until or unless he shall undertake to the Speaker that he will not disturb the proceedings of the House, in which case I can see no reason why he should not do that which other Gentlemen who have been returned to this House and have not been able to take their seats have done. In that way we shall have security against disturbance in our proceedings without inflicting any hardship on Mr. Bradlaugh other than that which is inflicted upon him by our objection to his taking the Oath.

Question put, and *agreed to.*

*Ordered,* That the Serjeant at Arms do remove Mr. Bradlaugh from the House, until he shall engage not further to disturb the proceedings of the House.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. DILLON.

Mr. PARNELL asked the Chief Secretary a Question of which he had given him private Notice—namely, Whether he would inform the House as to the words or acts for which the hon. Member for Tipperary had been arrested, and when and where the words were spoken?

Mr. W. E. FORSTER: I think, Sir, I had better read the words respecting the arrest of the hon. Member. The warrant declares—

> "That John Dillon, North Great George's street, city of Dublin, Member of Parliament, is reasonably suspected of having since the 30th day of September, 1880, been guilty as principal of a crime punishable by law, that is to say, inciting persons to forcibly oppose and resist the execution of a process of the law to give possession of land, committed in the aforesaid proscribed district, and being an incitement to an act of violence tending to interfere with the maintenance of law and order."

That is the only reply I can give to the hon. Gentleman, and for this reason—that, at the time of the passing of the Act under which the arrest was made, the question was repeatedly brought before the House as to whether more information could be given than that contained in the Warrant. I have read to the House what was decided by a large majority in one, or, I think, two divisions, which decided that more information should not be given. I do not think, therefore, that I should be acting in accordance with the Act of Parliament or with respect to the House, without an Order of the House, if I gave more information in this case. I can only say for the Government and for myself, so far as I have anything to do with it, that we are perfectly prepared to meet any Motion which may be brought forward impugning our conduct in this matter.

Mr. PARNELL: Then, Mr. Speaker, I wish to further call attention to this matter, and to conclude with a Motion. I think the right hon. Gentleman has altogether misinterpreted the intentions of the House in refusing to give information with regard to the arrest of my hon. Friend. In coming to their decision I think probably the House has been influenced by the supposition that, under certain circumstances, it might be impossible or inconvenient to give information; but I submit that in the case of the hon. Member for Tipperary, and in the case of almost everyone arrested under the Protection of Person and Property (Ireland) Act, it is perfectly within the power of the Government to give the information required. Let me call attention to the situation. An hon. Member of this House has been arrested for an offence which is not named, although generally described in the Warrant. That hon. Gentleman has no information as to the particulars of the offence; and when I ask the Government to give me information, and to tell me what offence my hon. Friend has been guilty of, and at what time and place the offence was committed, the right hon. Gentleman the Chief Secretary for Ireland says he is not required to do so by Act of Parliament. When I turn to the circumstances connected with the case, I find that the Government have been singularly unmindful, not only of what is due to this House, but also what is due to an important Irish constituency. My hon. Friend at the time of his arrest was on his way to this House to speak on the Land Law (Ireland) Bill; and it is true that he had announced his intention of criticizing very severely the provisions of that measure, and to influence his Colleagues to reject that measure. This course might have been fraught with some inconvenience to the Government; but my hon. Friend certainly represented a particular school of thought and a particular political line with regard to this Land Bill in Ireland not represented by anyone else. I affirm, then, it was a deliberate interference with the Constitutional rights of my hon. Friend to arrest him on his way to this House. In fact, this Protection of Person and Property Act has been used simply for the purpose of blackening the character of certain Irish politicians. The Government know that they can make no case if they specify the acts and the offences under which the prisoners are charged, and they shelter themselves behind a Parliamentary Return which I have in my hand, which recites in ambiguous terms and in awful language the general character of the offences which are alleged against the arrested persons. But when we ask for information, and when I gave Notice that I should move for a Return in reference to a person detained in prison under the Coercion Act, and under a Warrant that he was "reasonably suspected" of acts of violence or intimidation, or inciting to the same, together with the time and places of the offences, what course did the Government take? The hon. and gallant Member (Sir Arthur Hayter), at the direction of the Government, under the half-past 12 Rule, rendered it impossible for me to obtain the information which it was absolutely necessary for me to have in order to make my Motion. We do not know of what all these persons are accused; and I take it I have shown that the Government have not acted candidly in this matter, and are seeking to evade a full and fair inquiry into the subject. During the first reading of the Protection of Person and Property (Ireland) Bill, the Prime Minister, with a great flourish, said that all these arrests would be open to challenge on the floor of the House. May I ask the Prime Minister whether, when he made that statement, that he had in contemplation that Irish Members desiring information should be obstructed by a paid official of the Government? Many of the gentlemen arrested occupy respectable positions, and are honoured by their neighbours, some of them holding places of trust and responsibility in the local Municipalities and Poor Law Boards for the country. It is a perfect mockery to discuss the imprisonment of these men so long as the Government refuse us information; and I desire to move that the information be given. I think I have shown that I have especial interest in directing the attention of the House to the question of the arrest of my hon. Friend. When the Chief Secretary answered a Question put to him yesterday with regard to the health of my hon. Friend, he had received no official information on the subject; but, of course, the House could not be expected to liberate the hon. Member for Tipperary so as to enable him to continue the course he was pursuing at the time of his arrest. Now, I have had opportunities of becoming acquainted with my hon. Friend's character and constitution, and I know very well that confinement and imprisonment lasting for any time will be absolutely fatal to him. He is a man suffering from an illness which requires constant occupation in the open air to keep him alive. Several members of his family have already died of this illness. One of his sisters died this year of the same complaint from which my hon. Friend is suffering; and all his friends and his medical advisers know well that if the imprisonment of John Dillon is long continued it will result in his death, imprisonment crippling him in such a manner as will lead to his death within a short period. I now ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government intend to keep John Dillon in prison until he dies? I ask him to enable us to show that he does not deserve imprisonment; and, for my part, I believe the House would recognize that fact, and would recognize that he was not deserving of the punishment of death which, practically, the Chief Secretary to the Lord Lieutenant proposes to inflict upon him. I would ask the Government to re-consider the position they have taken up with regard to their refusal to give information as to the particulars of these cases. I do not want information from them where it is impossible to give it. I do not want information from them where they have not got it to give, or where the giving of it would inflict any wrong or injury upon any other person, or would be prejudicial to the administration of the law or this Act. But I submit that where the Government have no other reason than the mere fact that the House of Commons refused in this Act to direct them to give information, it is perfectly competent for them to consider each case in itself and, where no public wrong would accrue, to give such information as we ask for. I beg, Mr. Speaker, to move that this House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Parnell.*)

MR. GLADSTONE: It is my duty steadily to decline to enter upon the course to which the hon. Member invites us for reasons which appear to me perfectly clear and perfectly unquestionable. Parliament has thought fit, after long and full consideration, to intrust the Executive Government with powers of a character beyond the ordinary rules of the Constitution, for the purpose of preserving peace and order in Ireland; and Parliament has therein proceeded on the supposition that, under the peculiar circumstances of the case, it is desirable that the Executive Government should have those powers upon grounds apart from those on which they would or might be prepared to challenge the conduct of the parties who are brought to justice. They have established an exceptional method of procedure, to be exercised upon the discretion of the Executive Government. After a discussion upon the Amendment to the Bill which was proposed on the part of those who resisted the measure, that in every Warrant for the arrest of anyone under the Bill should be specified particulars analogous to those for which the hon. Member now calls, Parliament distinctly rejected that Amendment. I am not sure whether it was not tried more than once; but the deliberate judgment of Parliament was that the information should not be given. Were that information to be given, the effect would be that the whole of these cases would be liable to be vaguely and generally discussed in this House, and the House would become partners in the responsibility which Parliament requires the Government to assume whole and undivided. For that reason it was that the Government did not think it right that occasions when the House might be exhausted, with but few Members in attendance, should be made use of for the purpose of making Motions with a view to the production of this information, as I may call it, wholesale. But the ground that we took during the discussion was a different ground. What we said was this—"Our conduct on each and all of these occasions will be liable to be challenged. Where you think you have cause to think that our proceedings are open to question, there will be nothing to prevent you from raising the question in this House. When, instead of a mere discussion at large upon the merits of a case, you are prepared to make a charge against the Executive Government, then the Executive Government will be prepared to meet you upon that charge." But the hon. Gentleman does not make a charge against the Executive Government. He makes a speech upon the subject, but does not embody in a Motion the allegations which he travels over in his speech, and he concludes with a Motion that the House do now adjourn. Is that course necessary owing to the position in which the hon. Gentleman is placed? No; nothing of the kind. We had, even so late as yesterday, upon the Notice Paper a Motion which, however incorrect in the allegations which it made, was perfectly legitimate as to the mode in which it proposed to raise the question of Mr. Dillon's arrest. It was a Motion as follows:—

> "That, in the opinion of this House, the action of the Irish Executive in arbitrarily arresting a Member of this House without reasonable ground, and in proclaiming a state of siege in Dublin, is an abuse of the exceptional powers conferred by Parliament; and, coupled with the conduct of the Executive in affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions, is calculated to promote disaffection in Ireland, and to mar any possible good results from the remedial proposals of the Government."

In this particular case of the hon. Member for Tipperary (Mr. Dillon), the hon. Member for Longford (Mr. Justin M'Carthy) had given Notice of a Motion, and no doubt he would in his speech have stated the specific grounds on which he would have founded the charge which he embodied in his Notice of Motion. The Executive Government would then have been put on its trial; and it would have been the right and the duty of the hon. Member for the City of Cork (Mr. Parnell) and those who thought with him to place the Executive Government on its trial in relation to matters of this kind. The Executive Government would have taken no step, whether by blocking the Notice of Motion or otherwise, to evade it; but would immediately have challenged the judgment of the House. But as to vague discussions ending in Motions for adjournment, when hon. Gentlemen without any responsibility can say what they please, the Government will decline to allow false issues to be raised, and to abandon the position in which Parliament has placed them by intrusting them with exceptional powers for the maintenance of the law for the protection of life and property in Ireland. I have now stated distinctly the path in which we are prepared to walk; but in the path opened to us by the hon. Member for the City of Cork we decline to walk, for it would be a cowardly attempt on our part to divide our responsibility with the House, and to shift a portion from ourselves on to the shoulders of hon. Members. We intend to bear it undivided, and to confine ourselves—which would be our duty if the case arose—to defending ourselves from any and every allegation that may be made against us.

MR. JUSTIN M'CARTHY failed to find in the right hon. Gentleman's speech any answer to the arguments of the hon. Member for the City of Cork. The right hon. Gentleman did not show by any Resolution or by any clause in the Act that Parliament prevented the Chief Secretary for Ireland from giving this information in cases where it was thought fair and right to do so. It was entirely in the discretion of the Government, if they pleased, to answer the questions which had been put—they could give the reasons why the hon. Member for Tipperary was arrested by the Irish Executive. The right hon. Gentleman complained that the Motion which stood in his (Mr. Justin M'Carthy's) name was not proceeded with, and protested that the Government were eager to meet it. But he would ask what chance was there of bringing it on at a reasonable hour for discussion? The right hon. Gentleman only suggested that if he waited his chance he would, no doubt, be able to bring the Motion before the House. That was to say he might be able to bring it on at the fag end of a long discussion, perhaps at 2 or 3 o'clock in the morning, when he should be speaking to empty Benches. The right hon. Gentleman was willing enough on two or three occasions to interrupt the course of Business in the House for the purpose of introducing questions which might very well have waited. He was willing to interrupt the course of important Public Business in order to propose a Vote of Thanks to men engaged in a war which he himself little more than a year ago condemned as a crime. He was willing to interrupt the course of Business to propose a National Monument to the memory of a statesman of whom he had said not long since that he had given some of the best years of his life to thwarting and opposing his policy. He (Mr. Justin M'Carthy) did not find fault with him for taking that course; he only mentioned it to show how easily he found an opportunity for interrupting the Business of the House for any purpose which he himself wished to carry out. The right hon. Gentleman had referred in that House to the grievance of having a constituency deprived of one of its Representatives. For the purpose of preventing such a thing he was prepared to give up the time of the House to a most disagreeable and unnecessary discussion, especially at this period of the Session; but when they came to raise the question whether the act of the Government had not practically disfranchised Tipperary, he had no suggestion to make, except that anyone who had a Motion to make on the subject might wait for his chance, and take the first chance he got. If he (Mr. Justin M'Carthy) was not mistaken, the event which they were discussing was absolutely without precedent in Parliamentary history. He believed there was no other case, so far as he could recollect, in which a Member of that House was arrested and imprisoned under the same conditions as his hon. Friend the Member for Tipperary. Mr. Smith O'Brien was sent to prison on a direct charge, openly made and formally recorded against him; and he was, on the first opportunity, brought before a public Court of Law, and tried for the alleged offence. But in this case his hon. Friend was arrested and consigned to prison without himself or any of his friends having any chance of knowing what was the exact charge on which he was committed, and whether he was fairly suspected of being guilty of it. This, he did not hesitate to say, was without precedent in, and reflected discredit upon, a civilized country. His hon. Friend was coming over to Parliament to ask the Government whether the charges which he had made against landlords in regard to the evictions going on were not correct. No reasons had been given by the Government to justify the course which they had adopted; and, therefore, many persons would see in the arrest not the act of legitimate authority, but the desperate stratagem of a political partizan. If the health of his hon. Friend should be seriously injured by his imprisonment, and if the worst should result from it, he would not be the first who had sacrificed his life for the benefit of the Irish people. The speech which his hon. Friend (Mr. Parnell) had made was not in the nature of a plaintive appeal to Her Majesty's Government for mercy to his hon. Friend the Member for Tipperary, but was a note of warning to them of the serious and important responsibility which they had taken upon themselves in having, without reasonable cause, arrested an hon. Member of that House, and in continuing to detain him in prison. Her Majesty's Government had also incurred the responsibility of proclaiming a great, populous, and peaceful city like Dublin, and of placing it in a state of siege by a stroke of the pen. Mr. Justice Fitzgerald, who certainly was not an admirer of the Land League, shortly before the Government took that step had declared the state of Dublin to be eminently tranquil; and, indeed, the only ground that the Chief Secretary himself had assigned for proclaiming that city was because one or two speeches had been made in it of which the Government did not approve. Could a parallel case be found in modern history, a case in which a great peaceful city had been placed in a state of siege merely because one or two persons, whose very names were not given, had made speeches which were disapproved by a Member of the Government of the day? He admitted that the course which had been pursued on this occasion of moving the adjournment of the House was somewhat irregular; but the Irish Members had felt bound to take it in order to bring a matter of utmost urgency under the notice of the House and of the country. The right hon. Gentleman had said that Her Majesty's Government were compelled, in the first place, to make the laws of the country respected and obeyed in Ireland. He (Mr. Justin M'Carthy) supposed they could exact and enforce a sort of sullen obedience to the law by the use of their military and police; but to make the law respected in Ireland was not within the power of all their police or all their soldiery until they made the law different from what it was, and administered it otherwise than they did at present.

Mr. W. E. FORSTER said, he thought that the course adopted by the hon. Member for Longford (Mr. Justin M'Carthy) was unfair and unreasonable. It was in the power of the hon. Member to have brought forward that night the Motion of which he had given Notice—a Motion which brought a direct charge against Her Majesty's Government, which the Government were perfectly prepared to have met. To the insinuations of the hon. Member the Government could give a perfect reply. The hon. Member had said that he had been prevented from proceeding with the Motion; but he might easily have made it that night. ["No!"] The hon. Member for the City of Cork dissented from that statement; but, looking at the state of the Order Book for the night, no one could doubt that the Motion might have been brought on. Indeed, he had been much surprised that morning, on looking at the Business for that night, to find that the Motion had been withdrawn. The hon. Member had chosen to raise the question on the Motion for the adjournment of the House rather than by direct Motion, because he was aware that by doing so he could make no charge which the Government could meet.

Mr. DALY said, that his hon. Colleague had asked what were the words or acts on which the hon. Member for Tipperary had been arrested; and they believed that all the evidence which the Government possessed, and on which the arrest was made, could be given by the Government officials; therefore, the Chief Secretary need not shelter himself behind the extraordinary powers given to the Government by the Coercion Act, and refuse to answer the questions which had been put. The Government had 30,000 soldiers and 12,000 policemen in Ireland; and, therefore, they could have no fear of any result arising from the reasons which they might give. The Government should have courage, and answer all the questions categorically. He believed that this Liberal Government would be accused of doing a mean and dastardly act, and then of sheltering themselves from the consequences of that act in a cowardly way. Practically, Her Majesty's Government had, of their own motion, disfranchised one of the Irish constituencies. His hon. Friend the Member for Tipperary could have spoken with authority in regard to the evictions in Ireland, and which were going forward in the most monstrous manner, as on all these things he had a more intimate knowledge than any other man. The position of the Government, in not answering the questions put, was unsound and untenable.

Mr. J. COWEN said, he was astonished that the Government had not given a more satisfactory answer to the question that had been addressed to them. They would have reasons for arresting Mr. Dillon, and surely they might state them. In the absence of this information, all the House could do was to speculate on the cause of the arrest. No one, he supposed, would accuse Mr. Dillon of having been engaged in houghing cattle, shooting landlords, or burning property. There was no overt act that he had committed. The only ground for his arrest, therefore, must be his speeches. He had not seen any report of those speeches, except such as had appeared in the English newspapers, and these reports were not to be trusted. They were usually attempered to the appetites of English readers. Many of the statements that appeared in the English papers respecting Ireland were absolutely false—others were grossly exaggerated. Even when the statements were themselves correct, the explanation necessary to their understanding was withheld. To form an estimate of what had been said by any man in Ireland from what appeared in the English newspapers was to do that man an injustice. Before the House passed a condemnation of his Friend he begged it to pause. He asked it to consider the circumstances—the strongly extenuating circumstances—under which Mr. Dillon had spoken. There had been great agricultural depression over the whole Kingdom. This depression had been most severely felt in Ireland. In some places it had deepened into distress—in others into want and starvation. Mr. Dillon, during several months, had employed himself in going from one part of the country to another, and had been brought face to face with the realities of the situation. The Government had introduced a Bill designed to improve the social condition of the Irish people. The measure might be wise or unwise; but that was its purpose. The landlords, or at least a large section of them, feared that the operation of the Bill would be injurious to their interests, and, with a view of getting quit of the responsibility that it entailed upon them, they were scattering notices of ejectment broadcast. These ejectments had, in many instances, matured into evictions. He did not know whether hon. Gentlemen had witnessed an eviction. The harrowing scenes that accompanied them could not be viewed unmoved by any man. To see a starving family crouching in the cold on a bleak hillside was a spectacle that no one could behold without emotion. Mr. Dillon had witnessed these scenes, and he had spoken in strong, but not too strong, reprobation of them. He might probably have overstepped the thin line that separated legality from illegality. But the surroundings being recollected, no generous man would judge him harshly. Especially ought this to be the case with the present Government. There were Members of the Administration who had lived amongst Leagues, and had risen to power through agitation. If everything they had said and everything they had done during periods of excitement had been as strictly watched and as strictly judged as Mr. Dillon's speeches and doings had been, some of them would certainly not have escaped a prosecution if they had escaped imprisonment. Mr. Dillon knew that the mass of the English people were ignorant of the condition of Ireland, that a large number were not only ignorant but indifferent, and that some even were hostile. It was a cynical but too common observation that this country would be benefited if Ireland was cut adrift from us, or if she was sunk beneath the Atlantic waves long enough to procure the destruction of her population. This hard view of Ireland and her people was not so prevalent now as it was in former years; yet still it existed. Mr. Dillon also knew that nothing ever was obtained in the way of political or social consideration from this country until there had been an agitation amounting almost to an insurrection. We conceded nothing to Ireland from a sense of justice—only from force. We yielded to fear what we refused to reason. ["No, no!"] Some hon. Members denied that statement. He appealed to history in confirmation of what he had said. Since the Union there had been three serious attempts made at ameliorative legislation in Ireland. And how had those attempts been initiated? One of the pledges given by the English Government in 1800 was that if the Irish Parliament would consent to the Union the penal laws against the Catholics should be at once repealed. How was that pledge fulfilled? Thirty years were allowed to elapse before any serious attempt was made to comply with the engagement, and then it was not complied with because of its righteousness or its justice. The Prime Minister of the day had the audacity to declare that Catholic Emancipation was yielded because there were only two alternatives. The one was emancipation and the other Civil War. Emancipation was therfore, in his judgment, only a less evil than Civil War, and hence it was conceded. Sir Robert Peel endeavoured to deal with the three great Irish grievances—Land, Education, and the Church. But he did not deal with these questions from any intrinsic sense of the injustices under which the people were labouring. England was at the time in trouble with foreign States. There was a dispute with America about Oregon, and a dispute with France about Otaheite. The Government were afraid if they went to war with either or both of these Powers that French or American troops might be landed in Ireland. The Irish, being discontented, might receive them as deliverers. It was not because the people were suffering from an injustice, but because it was desirable to send them what Sir Robert Peel described as a message of peace, that the three measures he had indicated were proposed. It was fear of the Irish aiding the French or the Americans in the threatened wars that got for them the Queen's Colleges, an increased grant for Maynooth, and an attempted amendment of the laws respecting land. The third occasion when Parliament essayed to solve the Irish difficulty was during the last Liberal Government. The circumstances were still fresh in their recollection. They all knew how many times the question of Land Reform had been submitted to the House by Mr. Sharman Crawford and others, and how often Resolutions respecting the Irish Church had been rejected. The House refused to legislate on these points until the Fenians broke open a prison van in the streets of Manchester, released two of their leaders, and blew down the wall of Clerkenwall Gaol, in the expectation of setting free a third. It was a fear of the Fenian insurrection that caused the Church and Land Questions in 1868-9 to pass from the domain of speculation to that of practical politics. Mr. Dillon knew all this. Every Irishman knew it, and they also know that the legislation of the present Session would never have been attempted if it had not been for the action of the Land League. If there had been no Land League there would have been no Land Bill. The movement directed by the League had created a public opinion such as had compelled the Government to take action. The League really had forced the Government measure. The Ministry was the acting power, but the organization which Mr. Dillon controlled was the motive power. It was most unfair to send to prison the men who had aroused the public opinion which rendered the measures of the Ministry possible. What were the simple facts of the case? Mr. Dillon had collected a larger amount of information respecting the condition of Irish peasants than was possessed by any other man in the House. There was no Member there, not even the Irish Secretary, who had anything like the amount of information on the subject that he had. He was on his way to Parliament to submit this information to it. An announcement to that effect had been made in all the papers. It was well known to his Friends that he intended to be in the House last Thursday and to take part in the discussion. The Government arrested him on his way there, and landed him in Kilmainham. And what would be the consequence of that step? If he had been in Parliament his power would have been circumscribed; but now that he was in prison his counsel would be more potent than ever. The Irish peasants trusted him and respected him, and they would trust him and respect him all the more since he suffered for them. Mr. Dillon might be a rebel at Westminster; but he had long been a patriot in Tipperary, and now he would be a martyr. Ministers used no end of smooth words about the condition of Ireland; but they did not back up these words by their actions. The arrest of Mr. Dillon was like sticking a blister on a raw wound. The English people were singularly unfortunate in their government of subject races. For some reason or other—even when they had the best intentions—they failed to win the good feeling or the affections of those they ruled. He could not explain it. He could only lament it. But such was unquestionably the fact. They had ruled Ireland for 700 years, and the people were as discontented and dissatisfied as they were centuries ago. France ruled Alsace some 200 years, and in that time the Alsatians became even more French than the Gascons. There must be something either in the manner or the spirit of the English administration that engendered in the Irish people so much distrust. The minds of some statesmen were said to be like the pupils of the human eye—they contracted themselves the more the greater the light that was shed in upon them. With all the experience of the past, and with good intentions, the present Government were treading in the footsteps—the painful and disastrous footsteps—of past Administrations. Just let them look for a moment at what they had done during these troubled times. There never was an agitation that did not have at its head one or two men who typified the hopes and aspirations of the people. These men in the present agitation in Ireland were Mr. Davitt and Mr. Dillon. They embodied, to a larger extent than any other two, the spirit and wishes of the Irish race. And how had the Government treated them? They had sent one to penal servitude and the other to gaol. The late Government, when they believed that Mr. Davitt was guilty of some offence against the law, attempted to put him upon his trial. This was a fair and honourable way of treating him. If he had broken the law, it was right that he should be made to feel the consequences. But the present Government did not follow a like course. They went back upon a conviction that in equity and morals, if not in law, had been more than complied with. He did not speak of the wisdom, of the cruelty, of the justice of Mr. Davitt's re-imprisonment. But he was there to declare that he did not know in his experience—and he did not believe any man in that House knew—of a meaner thing having been done by any Government than the sending back to slavery of this man. If the Government imagined that that was the way to pacify the Irish people they were grossly mistaken. The treatment of Mr. Davitt would neither be forgotten nor forgiven by those who shared his opinions and admired his character. And Mr. Dillon. He was not a common man. He was not angling for Office—he was not canvassing for a job. He knew the wants of his countrymen. He had seen and sympathized with their sufferings. He was in earnest in what he did and said. He would not equivocate, he would not excuse; he would be "as harsh as truth, and as uncompromising as justice." If they laboured under the delusion that by degrading such men they would facilitate their rule in Ireland, they were in error. He knew their theory was that Ireland ought to be taught to fear before she was taught to love. The falsity of that theory had been shown by experience. By Coercion Bills and Arms Bills they could not win the confidence of a suffering, struggling, and sensitive race. They could not kill ideas by chains and prisons. Ideas were as indestructible as either earth or heaven, and the attempts to annihilate them by pains and penalties would fail now as they had failed in all past times. It was a source of deep regret to every man concerned in the future of Ireland to see the prospects of the legislation the Government were prosecuting blasted by the harsh, unwise, and illiberal treatment that they were now manifesting towards Mr. Dillon, Mr. Davitt, and their countrymen.

MR. MAC IVER said, he agreed most cordially with much that had fallen from the hon. Member who had just spoken. It was not necessary to approve of what Mr. Dillon had done to condemn what had been done by the Government. What the hon. Member for Tipperary had done had been compared fairly in the light of what the Prime Minister himself said when he was in Opposition. But the Government allowed this agitation in Ireland to go on to an extent they ought not to have done. They might long ago have stopped this agitation, which had led to the formation of this Land League; but they did not wish to do it. The Prime Minister said that the explosion at Clerkenwell Prison and the murder of a policeman at Manchester were necessary to bring the Irish Church Question within the range of practical politics. He (Mr. Mac Iver) spoke directly to the right hon. Gentleman, the apostle of peace, the Chancellor of the Duchy of Lancaster, who represented Birmingham, which provided arms and ammunition for all the world. His inconsistency on this and every question was well known to all in that House; but he did say that the right hon. Gentleman in his Irish views was perhaps more inconsistent than on any other question, The right hon. Gentleman, however, had always been perfectly consistent in one respect. He disliked the landed interest of this country. He (Mr. Mac Iver) had no desire to make any lengthened remarks; but he wished to say that he thought the Government had been very lax. They ought either to have arrested Mr. Dillon before or not at all; but they allowed the time to go by, and they had now arrested him when he was coming to take his seat in that House. He cordially supported the views expressed by the hon. Member for Newcastle.

Mr. T. P. O'CONNOR said, he had been much astonished by the speech of the Prime Minister, which was a remarkable instance of the way in which a great master of Parliamentary Forms could evade the real issue. The right hon. Gentleman said that was an irregular mode of bringing forward that subject, and because he considered it to be so he declined to enter into it. He further challenged them to bring a substantive Motion before the House, when they might discuss the whole transaction; but when the Government were asked to give facilities for the discussion of a substantive Motion they withheld all such facilities. The Irish Members had been prevented at all points from bringing forward the matter in a regular way; and the right hon. Gentleman the Chief Secretary for Ireland, in the face of all the facts they had had to confront, had risen in his place and declared that the Irish Members were afraid to bring the subject forward. He had told them they could have brought on the Motion that night; but if he had looked at the Order Book he would have seen that there were seven Notices of Motion down for that night, four of which were opposed. One of them related to police superannuation, and the hon. and gallant Member in whose name it stood (Colonel Alexander) took too deep an interest in the subject to give way in favour of the Irish Members. To another of those Motions Notice of opposition had been given by the hon. and learned Member for Bridport (Mr. Warton), who, though his career in the House had not been long, had already acquired a reputation for unyielding and relentless hostility to any proposition which he wished to prevent from coming before the House. If there was anything which the hon. and learned Member desired to impede the discussion of more than another it was an Irish grievance. The line taken that evening by the Government was altogether inconsistent with their arguments when the Coercion Bill was passing through the House. The Government had said that they could not give the House further information, because, if they did, the person who had supplied it would be liable to be intimidated by his neighbours. But the right hon. Gentleman the Chief Secretary for Ireland had now changed his ground completely. Who could intimidate those who had given the information on which the hon. Member for Tipperary (Mr. Dillon) had been arrested? He (Mr. T. P. O'Connor) took it that his hon. Friend had been put in prison because of certain speeches which he had made openly at a Land League meeting in Dublin. That speech had been published in all the newspapers, and there could be no fear of anyone being intimidated in consequence of the information given against him. Therefore, the whole reason for the absolute silence and secrecy urged in regard to the nature of the information disappeared in the case of his hon. Friend. The hon. Member for Birkenhead (Mr. Mac Iver) had said the arrest should have taken place sooner, or not at all. If his hon. Friend were engaged in the utterance of speeches which were exciting to public disorder, he ought never to have been allowed to make a second speech, and accordingly they were driven to this conclusion—that the hon. Gentleman was arrested for a speech made months ago, or he was arrested for a speech made two or three weeks ago. If the arrest was in respect of a speech made months ago, it had come too late; but there could be no doubt it was made on account of a speech delivered only two or three weeks ago. The only recent speeches made by his hon. Friend that he knew of which had attracted notice during the last few weeks were two, one of which was made on a Sunday, and the other at a Land League meeting in Dublin. The speech made on the Sunday could not have been the cause of his arrest, because his hon. Friend was in prison before the report of it could have come before the Dublin authorities. He was, therefore, forced to the conclusion that it was in consequence of his speech before the Land League meeting that his hon. Friend had been arrested. But, on April 7, Mr. Justice Fitzgerald stated in a Charge to the Grand Jury that Dublin was in an unusually peaceful and orderly condition. For himself, he (Mr. T. P. O'Connor) had never seen Dublin in anything but a peaceful and orderly state. The right hon. Gentleman the Chief Secretary for Ireland was questioned with regard to the Charge, and his reply was that since the Charge of Judge Fitzgerald one or two speeches had been made in the Land League. Was the Metropolis of Ireland to be proclaimed in a state of siege, and were the liberties of 300,000 people to be placed at the mercy of every policeman, because one man made speeches which it was sought to prevent? If such a thing were heard of as occurring at Berlin, or even at St. Petersburg, English Members would receive it with disgust, and would hardly believe it possible. What was the speech of his hon. Friend? The Chancellor of the Duchy of Lancaster had himself declared that if the Irish people had the control of their own affairs, either justice would be done to the Irish tenants, or the Irish tenants would exterminate the landlords. If he (Mr. T. P. O'Connor) were to act the part of a plagiarist, and to give as his own, in the Council of the Land League in Dublin, some of the speeches of the right hon. Gentleman the Chief Secretary for Ireland on the Compensation for Disturbance Bill of last year, with regard to the horrors of eviction, with regard to the process of eviction, with regard to the threats of violence, and the difficulty of preserving and maintaining the public peace, he had no doubt he would have an uncomfortable lodging in Kilmainham before 24 hours were over; but if he were to adopt some of the speeches of the right hon. Gentleman the Chancellor of the Duchy of Lancaster, he did not think he would even be let off with a lodging in Kilmainham, but believed that he would be brought before a packed jury, if a packed jury could be got in Ireland now, and sentenced to penal servitude for inciting to riot. No one could deny the truth of what the hon. Member for Tipperary had said; but its very truth was its guilt in the eyes of the Government. His hon. Friend had said that there were 10,000 persons threatened with eviction; and that was true. The hon. Member was understating rather than overstating the case. Was he to be put in prison because he spoke what was true? Did anybody suppose that the public peace and order could be preserved in Ireland if the Government were criminal enough to allow evictions to be made? No one who knew the animosity which the present action of the landlords in Ireland created, or the feeling of the people towards them, could fail to be aware that 10,000 or 12,000 evictions could not take place without resistance. If that were so, could his hon. Friend, knowing the fact, be blamed for stating it? As a chief officer of the Land League, it was his duty to proclaim the facts; and instead of having been imprisoned for doing so, he ought to be thanked for it; if he had abstained from doing so, he would not have been performing his duty as a citizen. Instead of that, there could be no doubt that that was the speech which led to his hon. Friend's arrest. It was deplorably strange, but it was true, as had been said by the hon. Member for Newcastle (Mr. J. Cowen), that the Irish people had never gained anything from England except by violence or threatened insurrection, and the Land Bill was no exception to the rule; whereas his ideal was that of a country where legitimate ends were pursued by Constitutional and legitimate means. Indeed, a country could scarcely be said to be civilized in which the means did not exist of influencing public opinion by peaceful meetings or through the Press; while violence was the miserable concomitant of English rule in Ireland. He charged that upon the Government as one of the worst and most demoralizing influences which they exercised in this country; and, in conclusion, he begged to say that if the Government gave the Irish Members facilities for discussing the arrest of his hon. Friend (Mr. Dillon), the question would be discussed in a frank, full, and fair manner; but if the Government demurred to or denied that reasonable request, then they would be compelled to take such means as the Forms of the House might afford of securing attention for a matter which lay near to millions of Irish hearts.

Mr. JESSE COLLINGS said, he had opposed the passing of the Coercion Bill, and he now regretted some of the consequences of that Bill. He did not rise to criticize the policy of the Government with regard to the arrests that had taken place in Ireland, because he was not in a position to say whether or not any of the action taken there was justified. There was, however, abroad, he thought, a very general feeling of regret that, as the Government had stayed their hands so long, they had not found it consistent with their duty at the last moment to avoid arresting Mr. Dillon. No one that had read the speeches of Mr. Dillon could doubt that he had made statements which would justify his arrest; but what he (Mr. Collings) wished to ask the Government was this—when were they to stop in the process of arresting various Leaders of the Land League? He could not help regretting that the Government had chosen that particular time to create a feeling of irritation by their action in Ireland, a time when a Land Bill had been brought in, which redeemed the promise of the Government. It was a Bill which throughout the whole of England had been received with favour, and generally in Ireland with thankfulness and appreciation. ["No, no!"] The Bill was generally received with appreciation, and in a manner better than the Government could have expected; and by doing what they had, they were likely to destroy, to a great extent, their remedial legislation. The state of Ireland appeared to be now even worse than it was a few months ago as regarded the feelings of the people; and a word ought, he thought, to be said about those who were the real culprits in the case, and without whom the Dillons could not exist in Ireland. He meant the men who were evicting the tenants from their farms. By arresting 50 Dillons the Government would not secure the object which they seemed to have in view. It had been said by the Prime Minister that "crime dogged the steps of the Land League;" but anyone who had read the statistics of crime in Ireland would see at once that crime dogged the steps of eviction, and if crime was to be stopped evictions must be seen to. The Government must be aware that the Coercion Bill was being put to a purpose which they never contemplated. A week or two ago, evictions were enforced at the instance of a justice of the peace for the county of Armagh, Mr. M'Geough, with the aid of 50 policemen, at which the most painful scenes were witnessed. And who was Mr. M'Geough? Why, a gentleman who, according to the evidence given before the Bessborough Commission, was one of those who had brought Ireland into the condition in which she was now placed. It appeared that one of his tenants, a widow, wished to sell her tenant right in a farm for which she paid £20 a-year; but that he refused to accept a man as tenant who was ready to take it, unless he consented to have the rent increased to £27 a-year. Those terms were refused. The widow, in consequence, could not sell her tenant right, and she was evicted without any compensation. That such proceedings should create a deep feeling of irritation in the minds of the Irish people was scarcely matter for wonder. He (Mr. Collings) gave the Chief Secretary for Ireland credit for his humanity; but he must say people were tempted to commit offences in their despair. They might say that that view was not logical; but then they were dealing with a people who thought they had no right to be turned out on the roadside. When they talked about sending large forces to be present at these evictions, so as to prevent resistance, they lost sight of the fact of what human nature would do under such circumstances. They must not forget that the very beasts would fight for their lair and young ones when driven to desperation; and these evictions must be stopped, unless they were to increase even the disorder which they had now. There had been the greatest misconception in this country as to the character of the agitation in Ireland, and it seemed to him that the Chief Secretary for Ireland had been duped by the Tory landlords in Dublin Castle. The story which had been placed before thousands of people by the English Press as to the roasting alive of a process-server had turned out false. *The Times*, a short time ago, represented the hon. Member for the City of Cork (Mr. Parnell) to have told the Irish people to stick to their arms; but, on turning to the Dublin *Freeman*, he (Mr. Collings) found that what the hon. Member really had said was—

> "Your organization has given you the benefits you have gained, and I advise you to stick to the arm which has done so much for you."

What was to be done? He strongly advised the right hon. Gentleman at the head of the Government to publicly signify his intention of making the Bill retrospective in its clauses. Even this Bill might not pass this Session, and the landlords would be protected in their legalized plunder.

MR. SPEAKER said, the hon. Member was travelling into a Bill which was appointed for a future day.

MR. JESSE COLLINGS, apologizing, said, he was led away from the question by a consideration of the injustice done to the Irish people while the Land Bill was being delayed in the House. The right hon. Gentleman the Chief Secretary for Ireland, speaking last August, stated that if the landlords used their powers in such a manner as to force the Government to support them in injustice, the Government would accompany their request for special powers with a Bill which would prevent them being obliged to support injustice. After that speech, one might have hoped that something would be done to prevent the injustice which the Government would not deny was at present taking place in Ireland. He did not know, for instance, whether it would not be possible to refuse the use of troops and Constabulary at evictions, until the justice of the case of the Irish tenants was first settled. He would appeal to the Prime Minister to say one word of comfort to these poor Irish people, every one of whom, as well as every one of the people of England, believed in the right hon. Gentleman. [*Cries of* "No!" *from the Irish Members.*] He would say yes, and, speaking from experience of public meetings in England, he said the mention of the name of Gladstone always raised unbounded enthusiasm.

MR. HEALY: No, no!

MR. JESSE COLLINGS: I say, yes.

MR. T. P. O'CONNOR: Not lately.

MR. JESSE COLLINGS maintained that even recent proceedings had not destroyed the popularity of the Prime Minister. He made the appeal to the right hon. Gentleman from a sense of pity for the poor people of Ireland, and could assure the House that, if he were the Chief Secretary for Ireland, he could not sleep in his bed for thinking of the injustice inflicted on these unfortunate persons. He would remind the Prime Minister of the theory he propounded long ago, but which was still well remembered — namely, that the people were our own flesh and blood? [Several Irish MEMBERS: No, no!] Oh, yes, they were. He was sorry the Irish Members were so parochial that they could not understand his meaning. In a wider sense the Irish people were their own flesh and blood. He would ask the right hon. Gentleman to hold out some hope to these poor creatures who were turned out of their homes every day, and who, if they left the country, left with curses on England. The Government dare not logically carry out the Coercion Act; if they did they would be compelled to shoot down the people. [An Irish MEMBER: They have done so already.] He maintained that the people of England were not prepared to approve of any such extremities. The Government were in the position of an unskilful physician dealing with a skin disease. They were taking steps to spread that disease inwards, and, by casting into prison the leaders of the Land League, they were leaving the whole thing in the hands of the ruffian part of the population. He therefore appealed to the right hon. Gentleman to say something whereby the bad landlords would be taught that if they persevered in the course which led to crime they would have to make restitution. He was saying nothing against the Government; but he was asking that they should give effect to their good intentions. He regretted that the Coercion Act was being used simply for the purpose of evictions and of collecting rents whether those rents were just or unjust, in a most barbarous manner, and with a total disregard to the position and poverty of the poor people who were evicted. Let the House remember that the Irish people were turned out of their homes for resisting a law which Parliament was about to proclaim an unjust law. Insisting on those evictions, bad landlords were doing that which they knew two months hence it would be unlawful for them to do; and what was more natural than that the people of Ireland should refuse obedience to the law which gave them no protection in return?

Mr. GIBSON and Sir WILLIAM HARCOURT rose together; but Mr. SPEAKER called upon

SIR WILLIAM HARCOURT, who said, that he did not rise to reply to the hon. Member for Ipswich (Mr. Collings), but to ask the House to consider the position in which it had been placed by the hon. Member. He would admit, as fully as the hon. Member could desire, that the evictions in Ireland, and the consequences to which they led, were a very serious question; but he could not help thinking that the hon. Member had ingeniously intended to do the Government a good turn by continuing the debate on the Land Law (Ireland) Bill. That evening was devoted to private Members; but his hon. Friend had managed to make a speech which would have been very suitable for the second reading of that Bill, but was scarcely appropriate to a Motion for the adjournment of the House. He did not propose to follow up the discussion introduced by his hon. Friend. That would be very irregular on the part of the Government. The debate had been diverted into that channel, and that was why he rose at the same time as the right hon. and learned Gentleman opposite (Mr. Gibson), who, he rather thought, was about to make an elaborate reply to the hon. Member for Ipswich. There was no doubt the discussion had been raised upon another matter, and no doubt it was a very serious and grave matter that a Member of the House should be arrested and imprisoned. So serious a matter was it that it was a most unsatisfactory thing to attempt to deal with it upon a Motion for adjournment, for on such a Motion no decision of the House could be taken. If there ever was a question upon which the House should definitely pronounce, it was upon the conduct of the Government in arresting a Member of that House; but it was quite clear that no definite and distinct opinion could be pronounced upon such a Motion as that, however willing anyone might be to give an opinion. How, on a mere interlocutory Motion, could the Government enter on the details of the grounds of the arrest of the hon. Member for Tipperary? That was a question of the gravest gravity, and the Government were not entitled to go into it except upon the most urgent grounds, and after a distinct challenge of their conduct had been given, and a decision of the House invited. He thought that, in the circumstances, the House would, upon reflection, agree with him that no advantage could be gained by continuing the debate.

*Sir William Harcourt*

Mr. GIBSON said, he quite agreed with the right hon. and learned Gentleman the Secretary of State for the Home Department in thinking that no good object would be gained by discussing the matter further. He would have been glad if the discussion had terminated before the hon. Member for Ipswich (Mr. Collings) had spoken; but a new direction had been given to it by that hon. Member, who had made a peculiar, not to say extraordinary speech. The Motion had been introduced unexpectedly by the hon. Member for the City of Cork (Mr. Parnell). Thereupon the hon. Member for Ipswich, watching his opportunity, had risen and produced a mass of letters and documents which he fired away for half-an-hour, and pleaded earnestly for a reply from a Minister. He avoided calling upon the right hon. and learned Gentleman the Secretary of State for the Home Department, who the hon. Member knew was always ready to speak; and, indeed, he looked thoroughly put out when the right hon. and learned Gentleman got up to say a few words on the subject. He (Mr. Gibson) had no intention of making an elaborate speech; but he should like to make a few remarks in answer to what had fallen from the hon. Member for Ipswich. The hon. Member from one of his documents drew comfort, which he found in the speech made last August by the Chief Secretary for Ireland; but he forgot to draw the obvious moral, when the right hon. Gentleman stated last August that if he saw occasion for interfering with the landlords he would not hesitate to take action. It must therefore be fairly and honestly assumed that he had found nothing since that time, with all the vast information at his disposal, that would justify him as a responsible Minister in submitting to the House a proposal on the subject. But the case did not rest on that obvious inference; for, within the last two months, the Chief Secretary for Ireland stated in the House there was nothing whatever in the conduct of the landlords as a class calling for objection from him, and similar remarks were made on a recent occasion by the Prime Minister. What, then, was the meaning of the extraordinary remarks about landlords made by the hon. Member for Ipswich? Some glimmering of what was due to justice appeared to have crossed the mind of the hon. Member towards the close of his speech, when he said no one could tell at present whether the evictions were just or unjust. That thought should have suggested to him some caution, when he said just before the real culprits were the landlords; that they were trying to clear the land from tenants as from vermin. What proof did he offer of that, or of his other statements, that they were seeking for ill-gotten and legalized plunder, and that what they were doing were reckless outrages. [" Hear, hear!" *from the Irish Members.*] He did not object to applause from any quarter. He desired to point out that those were strong statements to be made in that House without any proof, especially as they culminated in the statement that the speaker was unable to tell the House whether evictions were just or unjust. In the name of common sense, what did the hon. Member for Ipswich think the Irish landlords should do when they were not paid their rents? Had the hon. Member the faintest conception that, at the present moment, on many thousands of holdings in Ireland rents were deliberately, without reason, justice, or cause, withheld from the landlords? Were the landlords to remain idle in those circumstances? Was it to be suggested for a second that the landlords, face to face with an organization whence came unjust and improper teaching, were to remain utterly quiescent, and not to seek to recover their legal rights? The proposition of the hon. Member, when seen from a sensible point of view, was utterly absurd. Did the hon. Member deny that in thousands of cases rents were improperly and unjustly withheld? Did he mean that the landlords so treated were to do nothing? Why, there must, in the very nature of things, be a substantial increase of evictions. That would of necessity be so, unless the landlords were, in the words of the hon. Member for Ipswich, to submit to be made the victims of legalized plunder and legalized outrage. He regretted that there was some truth in one sentence used by the hon. Member for Ipswich. The hon. Member had said that the condition of Ireland was worse now than when the Peace Preservation Act was passed. He held also that the state of things in Ireland now was grave and serious, and the responsibility of the Irish Executive was of the gravest kind. He (Mr. Gibson) concurred in that, and should not, at the proper time, hesitate to criticize frankly and fully the conduct of that Executive. Before the Irish officials were strengthened by the addition of exceptional powers, they did not apply until on the very eve of the meeting of Parliament the powers left in them by the ordinary law with anything like adequate vigour. Before the meeting of Parliament the Executive in Ireland had, in fact, been so administered that it did not command proper respect in that country. For a short period after the passing of the Peace Preservation Act many people thought that a quieter state of things was going to arise; but the fact remained at that moment, that with the powers of the ordinary law and of the exceptional law at their disposal, the administration of the country had been such that the Irish Executive was not regarded by the community, from the Giant's Causeway to Cape Clear, with anything approaching to due respect. These, of course, were matters to be gone into when they should come regularly before the House for discussion, and the Government had the opportunity of defending themselves. He should then, probably, not hesitate to take part in the discussion. He would admit that the position of those responsible for the maintenance of law and order was a difficult and responsible position, and that every fair allowance should be made in reference to their conduct; but, at the same time, they must expect that their conduct would be jealously scanned and anxiously scrutinized by those who had to look to the law for their vindication and protection.

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, that his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) had made some very natural observations on the strange divergence of the debate from its original purpose. It might, accordingly, have been expected that his right hon. and learned Friend would have kept in mind the principles which, according to him, ought to have guided the hon. Member for Ipswich, and, at all events, would not so far have forgotten his position as to make the Motion for adjournment the occasion for a somewhat fiery

Party attack upon the Irish administration of the law during the last six months, at a time when he knew that the responsible Minister who could best answer him must sit with his mouth closed. The right hon. and learned Gentleman must have known, indeed had called attention to the circumstance, that the Chief Secretary for Ireland was one of the two principal Ministers now present who, having already spoken, could not be heard again on the question before the House. Knowing, however, that this was not the proper occasion for such a speech, his right hon. and learned Friend had delivered an angry philippic with the not very amiable object of destroying any respect that might be entertained for the present Administration. His right hon. and learned Friend, after administering his gentle rebuke to the hon. Member for Ipswich, might, without any disadvantage, have wandered back to the particular subject under consideration, and not have proceeded to make a gratuitous attack upon the conduct of the Government under cover of a Motion such as this. A proper occasion would, no doubt, soon arise for the discussion of that question; and the Government would be then perfectly ready to meet the charges made by his right hon. and learned Friend and take the judgment of the House upon them.

Mr. R. POWER said, he did not think that Her Majesty's Government ought to regret the discussion which had taken place, as it had been turned into a very good debate upon the Irish Land Question. If, however, they did regret it, he could only say that they could at any moment have stopped it by giving an honest and straight answer to an honest and straightforward question. The question was—why did they arrest Mr. Dillon? They defied the Government to give them an answer there that night. When the right hon. and learned Gentleman the Secretary of State for the Home Department said this was a question of the greatest gravity, he (Mr. R. Power) said that was all the more reason why the Government should give them an opportunity for discussing it. Would the Government give them an opportunity for discussing the question? He thought they would not. He thought the Government had too much common sense to allow them to discuss the arrest of Mr. Dillon. He quite admitted that Mr. Dillon was, to the Government, a great annoyance and a great inconvenience. The Chief Secretary for Ireland did not want him in Ireland, and the Secretary of State for the Home Department did not want him in the House of Commons. The Chief Secretary for Ireland imagined he saw in him a great conspirator against his authority in that country; and he (Mr. R. Power) could not help thinking that the Secretary of State for the Home Department imagined that he saw in Mr. Dillon a second Mr. John Devoy, who might come into that House and put a cask of dynamite under the Government Bench and blow it up, thereby sending the right hon. and learned Gentleman to another place. Was Ireland in a disturbed state at present, and was it on account of Mr. Dillon? He did not think it was on account of Mr. Dillon; and he was very glad indeed that the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) gave them, the other night, the reason why Ireland was in a disturbed state. He said that "Rapacious landlords keep the country in a state of disturbance." He (Mr. R. Power) should like to know why the right hon. and learned Gentleman did not put into Kilmainham some of those gentlemen who, he said, kept the country in a state of disturbance? He himself should be sorry, in Ireland, to say, in the Land League rooms in Dublin, for instance, that the rapacious landlords kept the country in a state of disturbance. He did not think it would be a safe thing to say under the present circumstances. He thought the right hon. and learned Gentleman the Attorney General for Ireland had certainly qualified himself to become an honorary member of the Land League by that statement. He did not remember any speech made in Ireland which would excite people more than to tell them that the rapacious landlord was the man who created all this disturbance —the man who turned them out on the road-side, and had no mercy for his tenants in any respect. But he would ask seriously—what was the feeling that the arrest of Mr. Dillon had created in Ireland? If there was one man in Ireland whom the people looked up to for counsel and advice—if there was a man who, by his character and his acts ever since he came into public life, merited and obtained the confidence of his countrymen—it was Mr. Dillon; and the arbitrary arrest of that man could not but weaken the hold of the Government, if they ever had any, upon the affection of the Irish people more than all the Coercion Bills they had ever passed in that House. He had just received a resolution from the Dungarvan Board of Guardians condemning the Government for what they had done, and they might expect similar resolutions of condemnation from the various Boards and public bodies in Ireland. They might depend upon it that by his arrest they had done more to create disloyalty and disaffection in Ireland than anything Mr. Dillon ever could or ever did do.

MR. T. D. SULLIVAN said, that when the Coercion Bills were being passed through the House, he warned the Government that those measures would be used for the purpose of vengeance by the Irish landlords, and used by the Government for the purpose of suppressing political feeling in Ireland; and he thought the result had proved the perfect truth and justice of those forewarnings. It was a notorious fact that the men now arrested and imprisoned in Kilmainham and Galway were not the class of men described to the House by the Government as the persons whom they desired to arrest. The Government alleged that they desired to arrest the inciters to outrage, the midnight marauders, the village ruffians, and all the rest of it; but they, the Irish Members, alleged, on the other hand, that that was not their intention, and that their intention was to arrest the young men who were carrying on in a spirited, but in a perfectly legitimate and Constitutional way, the organization and the agitation of the Irish Land League, and that was really the case. With respect to his hon. Friend the Member for Tipperary (Mr. Dillon), it was a remarkable fact that he was not arrested until the eve of the second reading of the Land Bill, and after he had made a speech which did not differ in character from many of those he had previously delivered. He must say that that looked very like foul play. Only last week a young man of excellent character, named Higgins, was arrested for signing, as honorary secretary, a resolution passed at a meeting of a local branch of the Land League, and sending a copy of it to a farmer residing in the neighbourhood. No one had, in fact, been arrested under the Acts answering to the character of those who were described by the right hon. Gentleman the Chief Secretary for Ireland during the debates on the Bills. The Government secured the passing of the Coercion Acts by false pretences; the grounds they gave to the House did not and do not exist; the whole story was shown to have been a mass of exaggeration by the manner in which the Acts had been carried out. The Government should have been slow to arrest Mr. John Dillon at any time, and especially at the time they did. At the commencement of his political career he was grossly attacked in his absence by the Chief Secretary for Ireland. The most serious outrages in Ireland were those that were being committed under cover of the Act. The real criminals nestled in Dublin Castle, and their "head centre" was the Chief Secretary for Ireland.

MR. T. C. THOMPSON said, he would ask the Government to remember that clemency was far more powerful than cruelty. What was the result of the course the Government had pursued? Had any good ensued? Was Ireland any quieter, were the peasantry more contented, or were there fewer evictions? No; the evictions were increasing day by day, proving that the policy the Government had pursued was a bad policy. Everybody was sorry that Mr. Dillon was arrested; but the question was whether his imprisonment had been for good or evil. He was as much interested in the success of the policy of the present Government as anyone, believing the failure of it would be a misfortune to the country; but he must admit that Mr. Dillon's arrest was producing no good in either Ireland or England. Let them remember how English public opinion was aroused in regard to the trial of Governor Eyre for proceedings in Jamaica. The English people disliked the trickery used in that case; they resented the manner in which, in Jamaica, Gordon was arrested in a district not subject to martial law, and then transferred into a district where martial law had been proclaimed, and there tried by subaltern officers under such law and hanged. What was the feeling of England in this case? Was it not that the proclamation of the City of Dublin was made with a view of entrapping Mr. Dillon? Was it not also felt that he was arrested at a time when of all others he should have been left free, when he was coming over to England to discharge his duty, and when he considered his person safe. He (Mr. T. C. Thompson) said the feeling of the people of England was a feeling of indignation. The Government had many opportunities of arresting him. They had heard Mr. Dillon say many things in that House for which, supposing the Government had done their duty now, they ought to have arrested him then. Why did they arrest him now? A belief had gained ground that it was simply because his evidence on the Land Law (Ireland) Bill would have been most important? The Land Law (Ireland) Bill was a middle-class Bill, and there were few men in that House who represented anything but middle-class people, while Mr. Dillon represented a class he would have been proud to represent—the peasantry of Ireland. The blot upon that Bill was that there was no provision made in it in favour of the peasantry, no provision to prevent eviction in bad seasons, and Mr. Dillon would have spoken strongly against such an omission. They might pass hundreds of measures to relieve Ireland; but if no relief against evictions in such seasons as the peasantry had gone through lately was included in them they would be of no use. He appealed to the Government to let one of their first acts be the release of Mr. Dillon from prison, and the next the repeal of the odious Coercion Acts.

Mr. O'Donnell rose to address the House, when—

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. O'DONNELL resumed, by saying he wished to utter a few words upon the matter. It appeared hopeless to expect that either the English or Irish Government, so amply represented on the Treasury Bench at the present moment, would give anything like a satisfactory reply to the request of the Irish Party that evening. They had asked for facilities to discuss the case of Mr. Dillon. It was admitted on all hands that various suspicious circumstances attended that arrest; and they wanted an opportunity, in a straightforward manner, of grappling with the Government case. It certainly appeared that the probability of his appearing in the House to express the opinion of a very large body of the Irish people on the Land Law (Ireland) Bill had something to do with his arrest. Mr. Dillon had said nothing within the last few weeks preceding his arrest in any way different to what he had been saying months before; and the matter required a little more explanation than the right hon. Gentleman the Chief Secretary for Ireland had given it, for he had simply defended himself for not giving information by reference to the bare letter of the Coercion Act. But an engagement had been given, when that Bill was under discussion, that the causes which led to every arrest should be laid upon the Table, and the breach of that engagement ought to bring a blush to the face of every Member of the Government. He saw that he was still more unfavourably situated than when he rose to address the House, because now there was not a single Member of the Government present. But he must say that there was as much intelligent knowledge of the affairs of Ireland on the Treasury Bench now as at any time since the Government came into Office.

Mr. WARTON said, he had no sympathy with the hon. Member for Tipperary (Mr. Dillon); but he must say he had, at least, been consistent in delivering exactly the same kind of speeches five months ago as three weeks ago; and it was the duty of the Government to have arrested him long before they had done. He (Mr. Warton) had himself brought to the notice of the Chief Secretary for Ireland many passages from the hon. Member's speeches; but he was always met by the right hon. Gentleman in a shuffling manner, and told that the passages cited were correctly given, though in some cases he had produced reports from different sources. The right hon. Gentleman was inconsistent in his conduct, and deserved the epithet he (Mr. Warton) had applied to him long ago.

Question put, and *agreed to.*

The House was adjourned accordingly
at a quarter before
Nine o'clock.

# HOUSE OF COMMONS,

*Wednesday, 11th May,* 1881.

MINUTES.]—Private Bill (*by Order*)—*Considered as amended*—South Eastern Railway *.
Public Bills—*Ordered—First Reading*—Local Government Provisional Orders (Birmingham, Tame, and Rea, &c.) * [160].
*Second Reading*—Newspapers (Law of Libel) [5]; Clerical Disabilities Act Repeal [11], *put off;* Summary Jurisdiction (Ireland) [33], *debate further adjourned.*
*Withdrawn*—Small Debts (Limitation of Actions) [78].

## PARLIAMENTARY OATHS (MR. BRADLAUGH).

**Mr. SPEAKER** acquainted the House that he had received a letter from Mr. Bradlaugh, returned as one of the Members for the Borough of Northampton, relative to the proceedings of the House in his case, which he read to the House as followeth:—

To the Right Honble.
The Speaker of the House of Commons.
House of Commons Library,
11 May, 1881.

Sir,

I beg through you to place on record my protest against the Resolution of the House, hindering and preventing me from exercising my statutory right, and from performing my constitutional duty to my constituents. I have been duly returned as one of the Members to represent in the House of Commons the Borough of Northampton. The legality of that Return has been admitted by, and certified to, the House. There is no Petition against my Return, and it is not pretended that I am subject to any legal disqualification. Yet without any precedent in the Journals of the House, and in absolute defiance of the Statute, the House has thought fit—while recognising me as a duly elected Member—to prevent me by actual physical force from fulfilling the duty imposed upon me by the express words of the Law. The privileges of the House render it impossible for me to submit the question to the decision of a Court of Law. I can only for the moment solemnly protest, in the name of the electors of Northampton, whose rights have been infringed, and whose lawful representative I am. And I beg most respectfully, Sir, that, in such manner as to you may seem fit, you will communicate this protest to the House.

I have the honor to be,
Sir,
Your most obedient Servant,
Ch. Bradlaugh.

**Sir WILFRID LAWSON**: With reference, Sir, to the letter you have just read, I wish to ask whether it will be competent for any hon. Member to move that it be taken into consideration on a future day; and, if such Motion may be made, whether it would be a question of Privilege, and taken at half-past 4 o'clock on whatever day may be fixed for the Motion?

**Mr. SPEAKER**: The letter of Mr. Bradlaugh will appear in the Votes, and will be in the hands of Members tomorrow morning. It will be competent for any hon. Member to give Notice that the letter be taken into consideration on a future day, when it may be brought forward as a question of Privilege.

## *ORDERS OF THE DAY.*

## NEWSPAPERS (LAW OF LIBEL) BILL.

(*Mr. Hutchinson, Mr. Gregory, Mr. Edward Leatham, Mr. Samuel Morley.*)

[BILL 5.] SECOND READING.

Order for Second Reading read.

**Mr. HUTCHINSON**, in moving that the Bill be now read a second time, said, that during two successive Sessions Select Committees were appointed to inquire into the subject of newspaper libel, and each of these Committees was presided over by the Attorney General for the time being. The first of those Committees heard a mass of valuable evidence, but made no Report owing to want of time. The second Committee asked permission to have that evidence referred to them, and this Bill embodied the recommendations of that Committee, and was confined to them exclusively. The justification of the Bill lay in that fact, and he was thereby relieved from the necessity of entering upon any long argument in its support. The provisions of the Bill were few and exceedingly simple. Rightly considered, the interests of the newspaper Press and those of the public were quite identical; and the Bill, while intending to remove acknowledged hardships, also provided guarantees against danger that might be apprehended in some quarters. It proposed, in the first place, to protect newspapers in the exercise of an important function, the due performance of which was expected at their hands. A newspaper was the record and expression of what took place in public, of all political life, and of all municipal and social activity—in short, it was the record of everything outside the domain of strictly domestic intercourse; and he asked whether it was fair that an agency which met an ever-increasing demand of this kind, and which was expected to perform its functions with accuracy, should have to do its work in the midst of red-hot ploughshares, and should be subject to consequences for the injudicious language of persons whom it correctly reported. Protection from private liability in the discharge of an important public function was the end sought to be obtained by this Bill. It provided that a fair and honest *boná fide* report of lawful public meetings should be held as privileged in the same manner as reports of a similar character of proceedings in Parliament and the Courts of Justice. In the matter of comment the Bill left the law precisely as it was. It made no change in the law of civil action; but it did make some change in the present law of criminal prosecution for libel, and for good and sufficient reasons. He could give a long list of cases in which criminal prosecutions had been resorted to on the most frivolous pretences, either for the purpose of extorting money or gratifying private malice. A man's character could be quite as well vindicated by civil action as by criminal prosecution. He did not ask for the total abolition of criminal prosecution against a newspaper, because there might be cases of violation of public decency; but it seemed to him that the tremendous power of that law ought not to be placed within reach of capricious and unscrupulous persons who might be wickedly disposed and worthless. The Bill, therefore, asked that no criminal prosecution for libel against a newspaper should be instituted unless the Attorney General for the time being were satisfied that there was a *primá facie* case for resorting to that method instead of the ordinary one of civil action. Lastly, as the price which the newspapers would have to pay for those concessions, the Bill provided for the registration of newspaper proprietors. At present it was very difficult to find out who was the real proprietor of a newspaper; but by this registration clause the responsible person could be got at in case of need without any difficulty, and would prevent a man sheltering himself under the wing of a man of straw as at present—the *nominis umbra*. It would be noticed by the House that this Bill referred to England and Ireland alone, but not to Scotland, and the reason was significant. In Scotland, the changes he proposed by the Bill were practically, and had long been, in operation. Scotch newspaper proprietors would not thank them for including their newspapers in this Bill, because there was a large measure of free publicity as regards the reports of public meetings. These prosecutions must first be authorized by the Procurator Fiscal; and the strongest argument he could adduce for this Bill was that in Scotland, where criminal prosecutions for libel were almost unknown, civil actions also were extremely rare. The journalist was put upon his honour, and he acted accordingly. He (Mr. Hutchinson) believed a similar state of things would obtain in England and Ireland if this Bill were passed. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hutchinson.*)

Mr. INDERWICK said, he did not rise for the purpose of opposing the second reading; but, at the same time, there were one or two provisions to which he could not give his assent. The main provision of the Bill was one that would meet with approbation—namely, that fair, honest, and *boná fide* reports of lawful public meetings should be privileged in the same way as reports of proceedings in Parliament and in Courts of Justice were privileged, it being thoroughly understood that the privilege did not extend to comments that might be made outside of such reports of public meetings. But it was also important that it should be laid down in very precise terms what was to be held a public meeting, for, of course, if two or three persons met to condemn the conduct of a person obnoxious to them that would not be a public meeting. By the second part of the 2nd clause it was provided that the defendant should not be entitled to avail himself of the defence that the report was a fair one if it were shown that he had refused to insert in his newspaper a reasonable explanation of the circumstances tendered for publication on the part of the persons reflected upon in the alleged libel. As the law stood now, no such limitation of the right of the defendant to avail himself of a legal ground of defence existed in the case of reports of proceedings in Parliament, or in the Courts of Law, and he did not see why it should be introduced in the case of reports of public meetings, especially as it might lead to endless and most inconvenient controversies in the public Press. He would be glad if that part of the Bill were altered in Committee. The Bill also provided for a better registration of proprietors. That, he thought, was extremely necessary, and it would obviate a great amount of difficulty which now existed in ascertaining the person morally responsible for the publication of a libel. The third proposal was open to very grave objection. He could not go the length of approving a suggestion that no criminal proceedings should be taken in respect of any libel without the consent of the Attorney General. He did not think that the right of any of Her Majesty's subjects to take criminal proceedings in respect of any libel, however gross or personal it might be, should be limited by the view which might be taken of the matter by the Attorney General. There were other matters that he should like to see dealt with by the Bill. For instance, as the law now stood, the person who considered himself aggrieved by the matter published had an alternative remedy. He might sue the defendant in a civil action, where he could give evidence on oath in his own defence, or he might, by taking criminal proceedings, shut the mouth of the defendant altogether. It was contrary to all right and justice that the accusing party should, by choosing one form of proceeding rather than the other, have the option of declaring whether or not his opponent should be heard. There was a growing feeling that the accused in all criminal cases should be permitted to make his statement upon oath; and, therefore, what he should ask the House to do in the present instance would be to enact that every criminal proceeding in respect of libel should be conducted in the same manner, both as to evidence and costs, as though it were a civil action—that was to say, that the defendant should have the right to go into the witness box at each stage of the proceedings, and make his own statement in denial or justification of the charge made against him.

Mr. GREGORY said, the question the Select Committee had to consider was whether the proprietors of newspapers could be to any extent relieved from their present legal liabilities without prejudice to the public interests; and, after taking a great deal of evidence, and giving very careful consideration to the subject, the inquiry resulted in the Bill now before the House. The Committee felt that publishers of newspapers were very often made liable for acts which were not their own, and which it was almost impossible for them to control; and they, therefore, recommended that any report published in a newspaper of the proceedings of a public meeting should be privileged, if the meeting was convened for a lawful purpose, and open to the public, and if the report was fair and accurate, and published without malice. The privilege solely applied to public meetings, publicly convened, and would exclude railway and other meetings, where shareholders often called each other hard names, and where strong reflections were sometimes cast upon the commercial credit of individuals. The clause also required it to be proved that the publication of the matter complained of was for the public benefit; and he could not, with deference to his hon. and learned Friend (Mr. Inderwick), think that there was much in his objection to the proposal that the protection afforded by the clause should not be available as a defence if the defendant had refused to publish an explanation or contradiction. In the course of his experience, he had always found that a respectable journal was ready to insert a reasonable explanation, or apology, for any libel that might have found its way into its columns; and in a case of libel before a jury the refusal to publish a contradiction was commonly treated as an aggravation of the offence. The 3rd clause, by providing that no prosecution for newspaper libel should be commenced without the fiat of the Attorney General, did not, of course, make the Attorney General responsible for the prosecution; but only required him to declare whether or not a *primâ facie* case was made out, and he could not think the restriction was unfair. The registration of newspaper proprietors appeared to him to be a very important part of the Bill; but he was not sure whether the Bill would not be better without the clause, which imposed a £10 penalty for the omission of the printer, or publisher, to make the required return. A proprietor who wished to conceal his name would not be made by so small a penalty to disclose it; and it would be better either to make the penalty £10 for every month during which the return was not furnished, or to leave the omission to be dealt with under the ordinary law.

Mr. J. COWEN said, he trusted the Bill would be read a second time, and that reasonable facilities would be allowed to his hon. and learned Friend for getting it through the House this Session. The subject had been dealt with many times, and in no instance had a more generally satisfactory solution been hit upon than that now before them. The late hon. and learned Member for Glasgow, the late Mr. Butt, and himself had been concerned in more than one Bill dealing with this subject during last Parliament. The difficulties that now beset the question had beset them; but those who were formerly unwilling for legislation had been brought to see the necessity and the justice of it. Two special Committees had inquired into the whole matter. Both the public and the newspaper proprietors had had an opportunity for putting their case before this Committee, and the Bill was the outcome of these deliberations. He recognized the difficulty of defining what was a public meeting; but, after full consideration, the words that were in the Bill had been hit upon as the best that could be chosen. Anyone who was capable of suggesting better words could do so in Committee. After repeated trials, those who had concerned themselves in the question had failed to define the meetings more accurately than in the clauses as they stood in the Bill. He thought it was only fair that persons who felt themselves aggrieved should have the liberty of requesting the insertion of corrections or explanations. If reports of public meetings were to be privileged, the public, on the other hand, should be at liberty to correct any inaccuracies in these privileged reports, and newspapers would only be too willing to comply with the request. It was not to the interest of a newspaper proprietor to circulate what was incorrect. It would not add to the reputation of the paper, and certainly it would not add to its influence, to give persistent publicity to unfair and incorrect reports. Everyone now admitted the hardship under which newspaper proprietors lay in being held responsible, both civilly and criminally, for fairly reporting proceedings of public bodies. The Bill would free them from that responsibility. In consideration for that concession, newspapers were to register the list of proprietors. That he regarded as a retrograde step. It was going back upon an obsolete law. In former times the owner of every printing press had to be registered. Printers were regarded as disturbers of the peace. Their types were considered as explosive materials, and they themselves were treated as rogues and vagabonds or dealers in dangerous commodities. That was when the Press was in its infancy. The law had gradually been modified, and now it had only a nominal force. Papers might be registered, but it was not compulsory for them to be so. He did not see any reason why the owner of a newspaper should be registered any more than the owner of a coal mine or the owner of a chemical works. A chemical works might destroy the vegetation in a neighbourhood, or it might injure the health or lead to the death of cattle. Persons who suffered by these had their remedy against the proprietor of the works, although these proprietors were not registered. If, in consequence of the working of a coal mine, the surface subsided and injury was sustained by anyone, the people who suffered could sue the coalowners and get redress, and yet the coalowners were not registered. He did not see why newspapers should be treated differently. If newspapers undermined the character of anyone, the persons attacked could get at the owners of the newspaper just as easily as people could get at the owners of chemical works or coal mines. He objected to this exceptional legislation. It was quite true that there had been isolated instances where newspaper proprietors had got out of their responsibilities by quibbling; but these cases were rare. That was a point of the Bill he objected to, and, when in Committee, he would try to modify it or amend it; but the Bill generally was a fair attempt to settle a complicated and difficult subject, and he hoped the House would assist his hon. Friend in giving it the force of law.

Mr. MACLIVER said, he thought that reports of the proceedings of Boards of Guardians, of Town Councils, of School Boards, and of other public bodies through which public money was expended, should be held to be privileged. He cited a case in which the law, as it at present affected Boards of Guardians, operated manifestly to the prejudice of the ratepayers. When the Bill got into Committee, he should propose a clause to the effect that any report of any public body having the administration of public funds, such as Town Councils and Boards of Guardians, to whose meetings reporters of the Press were admitted, should be privileged, if such reports were fair and accurate, and published without malice. Such a provision would be a considerable protection to newspapers, and would confer a real benefit upon the public.

Mr. WARTON said, he rose for the purpose of supporting this Bill warmly. In his opinion, the Bill would be more useful than all the other measures put together which had been brought forward on the Ministerial side of the House since the present Government came into Office. He did not, however, agree with the criticism of the hon. and learned Member for Rye (Mr. Inderwick), as he thought that no definition should be given of a public meeting; but that every case should be left to be decided by a Judge and jury, who would consider all the facts and circumstances of the case. He most strongly supported the 3rd clause, believing that no criminal prosecution for libel should be brought without the consent of the Attorney General. Very often criminal proceedings were taken in respect of libels for the purpose of stopping the mouth of the defendant. Until the time came when the Criminal Code, which was too valuable a measure for the Government to deal with, was before the House, he should not like to say anything on the subject of the propriety of permitting defendants in criminal cases to give evidence.

Mr. ASHTON DILKE said, he was sorry to interrupt the harmony which this Bill had brought from every part of the House, including the hon. and learned Member for Bridport (Mr. Warton), who as a rule did not sympathize very strongly with attempts at legislation on the part of Liberal Members; but he could not entirely agree with any part of this Bill. The point as to "being privileged" was a good one. As to deciding what a public meeting was, they knew there were a great many bodies who often excluded reporters just as they pleased, and there was also a class of meetings which were semi-private. For instance, meetings of Conservatives in different parts of London, to which admission was almost invariably by ticket, could hardly be termed public meetings. It was unfortunate that they should have to discuss this Bill so much in detail; but it was not their fault, because it in reality consisted of three measures, which might be embodied in three different Bills, and more closely debated in Committee. With regard to prosecutions by the Attorney General, he did not think that provision was all that was wanted. What was wanted was that magistrates should have a discretionary power of dealing with them. They might have the power of inflicting fines or short sentences of imprisonment instead of sending defendants for trial. There was a danger arising from occasions which were not very important, but distinctly libellous. Magistrates desired to give defendants the benefit of the smallest possible doubt. He did not think the scheme, as at present proposed in the third part of the Bill, would work at all. There were two classes of proprietors. They would have to deal with what he might term good proprietors and bad proprietors. This Bill was aimed at the wicked proprietors; but sufficient machinery was not provided to carry out the intention of the Bill in this respect. Very often, too, the printers and the proprietor were entirely different people. The responsibility for libel was now a meaningless one. It was quite right that there should be civil and criminal responsibility; but it was well known that newspaper proprietors were often civilly responsible when they were not criminally; and criminal actions were often brought against publishers who ought not to be implicated at all in the Law of Libel. It should be defined where the criminal responsibility ought to end. He thought the penalty of £10 was a ridiculous one. A wicked proprietor would give the printer an indemnity, unless the amount of the fine was extremely heavy. They would find that under this provision the law would be practically inoperative, and things would go on very much as they did at the present moment. Whatever law was passed, they would find that the man they were seeking to get hold of was seeking to evade the law, and they would be no better off than they were before. He should not oppose the second reading of the Bill; but he thought it might be materially altered in Committee.

Mr. JUSTIN M'CARTHY said, he fully shared the objections against the Bill which had been raised by the hon. Member who has just spoken. He entirely agreed that the registration of newspaper proprietors was antiquated, obsolete, and unsuited to the present time. As to public meetings, it had been argued that the definition applied only to meetings of corporate bodies or great assemblages open to the public, and did not include the meetings of public companies. But this latter class of meetings were the very class to which it was most necessary often, for the sake of the public, that attention should be called, and fair reports of the proceedings published in the newspapers. He had known instances where companies in a tottering condition had been enabled to keep on drawing in new victims by the absence of fair and full reports of their proceedings. If fair and full reports were given of the proceedings of such concerns, the public might be warned, and the final crash of the company foreshadowed. There was no class of reports out of which libels were more likely to arise than those of the proceedings at meetings of public companies and shareholders. He remembered one case in his own experience in which some of the shareholders of a company felt convinced that one of the officials was literally cooking the accounts and mismanaging the affairs. A meeting of shareholders was called, and the charges were distinctly repeated, and a newspaper with which he (Mr. Justin M'Carthy) was at that time connected published a report of the proceedings. The person accused brought an action for libel, and no doubt would have got a verdict but that his guilt in the meantime was found out and he had to abscond. This incident showed the importance of their not narrowing the scope of the Bill so as to exclude the reports of the public meetings of companies from the category of privileged reports, and he thought some improvement might b e made in that particular.

Mr. LABOUCHERE hoped that the Bill would be read a second time; but thought that certain changes would have to be made in Committee. It would be necessary to define more clearly than the 2nd clause did what was a public meeting. With regard to the 3rd clause, he did not entirely agree with it. He thought it was a mistake to vest any more power than was absolutely required in a Minister of the Crown or other central authority. If a summons for libel were obtained, the magistrate was not able to dismiss the case summarily, even if he thought a jury would not convict. He was obliged to send the case to trial. If a newspaper were to say when the claimant came out of prison that the claimant had been in prison, the claimant might go before a magistrate, and might insist on the newspaper proprietor or whoever was responsible being sent for trial at the Old Bailey. He might put him to heavy expense, although there was no doubt there would be an acquittal. It, therefore, seemed to him (Mr. Labouchere) very desirable that, instead of a fiat being obtained from the Attorney General for a trial in such a case, a magistrate should be able to deal summarily with any application made to him on the subject. As to the registration of proprietors, there was formerly not a register of proprietors, but a register in which one person was entered as proprietor. He might have half-a-dozen partners; but it was not necessary to enter their names in the register. The hon. Member for Newcastle (Mr. J. Cowen) had remarked that colliery owners were not registered. The cases were, however, different; and while everybody knew the proprietor of a colliery, it was difficult with regard to newspapers to discover who was the responsible person. In almost all cases the printers and publishers of newspapers were mere dummies. He submitted to the Attorney General whether it would not be possible to render the printer liable if he did not give up the name of some responsible person as proprietor. He did not see the necessity of registering the names of all the proprietors. Some were mere shareholders in a newspaper, and it would only gratify an idle curiosity to put their names in the register. He thought the Bill was in the right direction, and he hoped the House would agree to the second reading.

THE ATTORNEY GENERAL (Sir HENRY JAMES), said, the Bill appeared to him to be a very useful measure, and he hoped it would not only be read a second time, but that an opportunity would be afforded for reading it a third time. The House would remember that newspaper proprietors had formerly serious cause for complaint in being held liable for criminal proceedings where they had not personally erred, and that this state of things produced considerable discussion some years ago in relation to the liability of newspaper proprietors. But some few years ago, in a case that was heard before the late Lord Chief Justice, the opinion was strongly expressed by the Court that Lord Campbell's Act would protect from criminal proceedings those who had intrusted editorial duties to others and had not been deficient in any want of care themselves. This Bill did not deal with that point, because it was felt by the Committee which considered the matter last year that the law already existing afforded sufficient protection. The Bill was the result of the deliberations of a Select Committee of last Session, on which it could not be said that those interested in newspapers had anything like a preponderating influence, but in which the general public were well represented. One or two objections had been made to the Bill. It had been said that there ought to be greater clearness in the definition of what a public meeting was. As to that objection, he would only observe that those who made it should be good enough to define what was a public meeting. Directly you defined what was a public meeting you excluded all other meetings from the operation of the Bill. He thought it was much safer to leave a judicial tribunal to define the term "public meeting." *Prima facie*, he should say if reporters were admitted in order to report, the meeting would be regarded as public. The hon. Member for Rye (Mr. Inderwick) said under this Bill a few persons might meet together, and by means of private scandal ruin the character of any man. But no editor would have the protection of this Bill in such a case as that, for the editor must show that the publication was for the public benefit, and that it was not a mere private slander. The objection to Clause 3 which the hon. Member for Northampton (Mr. Labouchere) had urged—namely, that the requirement of a fiat from the Attorney General before proceedings for libel could be commenced would have the effect of giving too much power to the Executive Government, was an objection which he would meet by stating that the principle was one which had been much extended of late years. He had always given notice to persons accused to say what they had to say before he issued his fiat; but he would suggest to the hon. Gentleman in charge of the Bill that the 2nd clause should be so altered in Committee that a fiat should not be issued against editors of newspapers until they had had an opportunity of making a statement before the Attorney General. As to the question of registration, he thought that registration was, on the whole, beneficial to the public, while he did not think it was injurious to editors of newspapers. That, however, was a matter to be discussed in Committee, and he would now content himself by asking the House to allow the Bill to be read a second time.

## CLERICAL DISABILITIES ACT REPEAL BILL.—[BILL 117.]

(*Sir Gabriel Goldney*, *Mr. Thorold Rogers.*)

SECOND READING.

Order for Second Reading read.

SIR GABRIEL GOLDNEY, in moving that the Bill be now read a second time, observed that the object of the Bill was to get rid of a statute called Horne Tooke's Act, which was passed for the purpose of getting rid of a man whose political opinions were obnoxious. The Act excluded clergymen from sitting in the House of Commons. Mr. Horne Tooke was returned for Old Sarum at a time when political feeling was very strong. He (Sir Gabriel Goldney) did not know the reason why his right hon. Friend (Mr. Beresford Hope) sitting below him and others objected to clergymen sitting in the House of Commons.

It was formerly held that clergymen sitting in Convocation were not privileged to sit in the House of Commons, because they claimed the right of taxing themselves through Convocation, instead of through the House of Commons, and it was felt that they ought not to have a double voice; but in 1846 the powers of Convocation were abolished. Clergymen were now eligible for all civil offices and functions, and why should they be excluded from the House of Commons? Why should they be ostracized from all political feeling and action? They performed all the ordinary duties of citizens, and became Guardians of the poor. It might be said that it was inconsistent to be in the pulpit one day and in the House the next; but this applied with equal force to officers in the Army and Navy. It might be said that they ought not to be in the House of Commons, but performing their duties as officers, and looking after their men. Nonconformist ministers also could sit in the House without any objection being taken on the ground that political life was inconsistent with clerical functions. The history of the disabilities of the clergy was remarkable. For instance, at one time clergymen were excluded from hunting, on the ground that it was inconsistent with their duties; but a statute was passed which declared that it was necessary they should have that excellent exercise for the purpose of carrying on their duties more efficiently, and it was one of the prerogatives of the Crown that when a Bishop died his pack of hounds should go to the Crown, or that in lieu thereof compensation should be paid. In the performance of secular duties clergymen were admirable examples to the rest of the community. Nearly a third of the Bills in the Journals of the House dealt with subjects—such as Augmentation of Benefices, Burial Fees, Church Patronage, Ecclesiastical Endowments, Marriage Law Amendment Act, Poor Removal—in the discussion of which clergymen would be able to take part and give to the House the advantage of their knowledge and experience. He thought Parliament ought to abolish an Act that was passed for the purpose of excluding a man whose political opinions were adverse to the Minister of the day. Being unable to exclude him individually, they excluded the whole body of clergymen. He spoke as a Churchman, and as one who did all he could for the Church; and he asked the House to say that the clergy should not be treated as a different social order from the rest of the community. He was quite satisfied it would be beneficial to the Church if some clergymen were to come within an arena like the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Gabriel Goldney.*)

Mr. BERESFORD HOPE, in moving that the Bill be read a second time that day six months, congratulated his hon. Friend on the array of authorities he had pressed into his service. Even the venerable "Brother Bragge," of political poetry, had made his appearance; and he presumed that Brother Bragge and Brother Hiley were kept in reserve. The present state of matters was that clergymen, whether with or without a cure of souls, could not sit and vote in the House, and his hon. Friend wished to alter that state of things. On previous occasions his hon. Friend promoted a Bill to allow clergymen who had not a cure of souls to sit and vote in the House. He (Mr. Beresford Hope) thought there were sufficient reasons even against that measure, and he had the satisfaction of carrying the House with him. There were already plenty of elements of disturbance in the House, plenty of heart-burnings, plenty of faction—he was not accusing one side or the other, but only that human nature, of which they were all sharers—plenty of misunderstanding, plenty of class grievances, plenty of everything which distempered debate and paralyzed wise counsels. Was it desirable, then, to introduce fresh elements of discord by bringing in what he must as a Churchman, a Christian, and a citizen say would be a most pestilent specimen of the genus citizen—namely, the political parson who would use his partizanship for his political advantage? He might either be a rich rector, with aspirations, or a discontented curate, with a grievance. In either case, he had his pulpit to preach in, his school to lecture in, his parish vestry, his meetings for mothers, for fathers, and for uncles, and did they want to introduce that man into Parliament also? Did they want to have the scandal of a man being able to spend his Sunday mornings and evenings in preaching his political speeches from the pulpit, and upon weekdays inflict his tedious sermons on the House? Did they want such a man to be able from the rising of the sun until 4 o'clock to be able to canvass in his cassock, and then come down to the House and be addressed as the hon. and rev. Member for So-and-so? He should regard the introduction of "political parsons" to the House as a fresh scandal to good order and religion and piety. His hon. Friend had given a list of a dozen Bills which he thought ought to be canvassed and traversed by clerical Members. He (Mr. Beresford Hope) prophesied, however, that if clergymen were admitted in sufficient numbers and of sufficient variety of clerical opinions to influence a debate, the non-clerical Members of the House would rise in revolt against them. In order to attain his hon. Friend's Utopia, half-a-dozen High, half-a-dozen Low, and half-a-dozen Broad Church clergymen would have to be secured. It was urged that it was hard that there should be no clergymen in that House, seeing that there were Bishops in the House of Lords; but it should be remembered that a clergyman would enter the House of Commons after a contested election and with constituents at his back. The election of a Bishop, on the other hand, was a ceremony which might be very abhorrent to the hon. Member for Gloucester (Mr. Monk), but it had not much effect on his position in the House of Lords afterwards, and he had no constituents. The Bench of Bishops in the other House might be a valuable part of the Constitution or it might not. That was not the question before the House now, but it depended on totally different considerations; and to attempt to darken counsel and mix up that matter with the present discussion was only to show how trivial and imaginary was the grievance alleged in the case and how weak was the ground for the Bill. In conclusion, he trusted that the House, considering the present state of Public Business, would not encourage even so respectable a Member as his hon. Friend to air his crotchet at the expense of the national time; but that the House, which had already, before getting into Committee upon the one single Bill of importance, taken 200 divisions during this Session, would, if necessary, have its 201st division that morning for the purpose of relieving itself from the present annoyance for the rest of the Session. The right hon. Gentleman concluded by moving the Amendment of which he had given Notice.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Beresford Hope.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. THOROLD ROGERS, in supporting the second reading of the Bill, said, he would not attempt to follow the heated rhetoric and habitual prophecies of the right hon. Gentleman who had just sat down. He could not, however, share in the apprehensions entertained by that right hon. Gentleman as to the dangers that were likely to arise from the possible introduction of a clergyman into the House if a constituency could be found to return him. He thought, moreover, that if any clergyman were to resort to the objectionable means to acquire a seat in that House which the right hon. Gentleman had so graphically described, the constituency would know how to deal with him and would emphatically reject him. He maintained, further, that Horne Tooke's Act, which it was now proposed to repeal, was entirely unconstitutional, having been directed, not only against an individual, but against the privileges of a class without the smallest justification. All persons who were liable to be taxed for their lay possessions were in justice and on constitutional grounds eligible to be returned to Parliament if they were untainted by crime and subject to no legal disqualification. This was the result of the arrangement made between Clarendon and Archbishop Sheldon in 1655, as was proved by the cases cited in Bragge's Report of 1801, for all the cases in which clergymen, having spiritual fees, had been elected and were disqualified by vote of the House occured before 1655, and all cases, notably those of Gordon and Rushworth, in which their seats were unchallenged, occurred after that date. Horne Tooke himself had stood twice for Westminster before he was elected for Old Sarum, and no one thought of saying that votes given to him were thrown away. The clergy had ceased to be represented, for purposes of taxation, in Convocation, and, therefore, they got votes for the House of Commons and were eligible for seats there. Mr. Horne Tooke had been a clergyman. He had abandoned his living at an early period, and he took a very active part in politics. He was a very considerable politician, as well as a very considerable scholar, and also a great advocate of constitutional progress and reform. The passing of the Act against him was a scandal, being dictated by antipathy to a single individual. It was intended that the Act should be confined to the clergy of the Church of England, or rather to the united Church of England and Ireland; and the question might well be raised whether the united Church of England and Ireland, having now ceased to exist as it did before the Irish Church was disestablished, any person could really be brought under the penalties of the statute. That, however, he said only by the way. The Scotch Presbyterian minister was somewhat differently placed from the Anglican clergyman, not being a minister when he left his benefice. He held, however, that a clergyman was not a clergyman in the eye of the law or within the range of spiritual authority unless actually in possession of a cure of souls. After Catholic Emancipation was conceded the same disabilities as attached to the Anglican clergy were extended to Roman Catholic priests, and he would not have the least objection to see a provision inserted in the present Bill stating that if an Irish constituency elected a Roman Catholic clergyman to that House their choice of such a Representative should be respected. The passage of Horne Tooke's Act was an invasion of the rights of a section of the community, and he hoped to see the day very speedily arrive when it would be repealed.

Colonel MAKINS said, he did not desire to enter into any historical discussion of Horne Tooke's case. It was enough to say that the Preamble of the Act which it was now sought to repeal declared that it was passed to remove doubts which existed as to the eligibility of persons in Holy Orders to sit in that House. They had nothing to do now with the motives which might have induced men to vote for or against that Act; they had only to consider that the Preamble expressed the mind of Parliament in passing it. Persons who found that they had made a mistake in entering the Church had already been relieved by the Act of 1870; and the present Bill was intended to carry that Act a step further in a direction which he did not think would be indorsed by the opinion of the House. The Bill was designed to admit beneficed clergymen as well as unbeneficed to the House, and if it passed they might have Dean Stanley sitting in the House both as Dean of and Member for Westminster. The Canon Law and the Common Law were brought into accord by Horne Tooke's Act; but by passing the present Bill the discord between the two systems of law would be restored. There was, he maintained, no necessity for the change, inasmuch as clergymen were now represented in their lay capacity by their local Representatives, and in their clerical capacity in Convocation, and in the House of Lords. This Bill was principally promoted, as was well known, in the interest of an individual. He objected to that. He objected to the alteration of the Oath to please an individual, and he opposed that Bill on the ground that it was intended to meet the scruples of an individual or of a few individuals. The only argument that he could see in favour of the Bill was that if they were to have the Member (Mr. Bradlaugh) who had taken up so much of the time of the House introduced, it might be desirable to have a countervailing element in the presence of some of the clergy. They might, if this Bill were passed, have the hon. and rev. Augustus Smith, M.P., advertised to preach in some Northampton church on the text "Fear God and honour the King." He must oppose the second reading, seeing there had been no Petitions or meetings in favour of this measure.

Mr. HINDE PALMER said, he was as anxious as any Member to open the portals of the House to every man whom a constituency might think it right to return, without imposing on him any religious disabilities; but he was sorry that it should have been thought necessary by the hon. and gallant Gentleman who had just spoken to impart into the present discussion any reference to the unpleasant scenes which the House had witnessed with regard to the hon. Member for Northampton. At the same time, he could not see his way to support the Bill, which would admit into the House clergymen having the cure of souls. That would be a very incongruous state of things. They might have a clergyman using his pulpit as a rostrum on Sundays to preach an election address. That would be a scandal. He was very much opposed to clerical justices of the peace, and had formerly introduced a Bill to disqualify them, and he must oppose the present proposal. If clergymen felt anxious to enter the House, there was an Act—to which he (Mr. Hinde Palmer) was a party—already in the Statute Book of which they could avail themselves. Holy Orders imposed certain disabilities on clergymen, and unless they divested themselves of their clerical character he could not agree to the removal of those disabilities. The Bill before the House he regarded as unqualified in its nature, uncalled for, and one that ought not to receive the encouragement of Parliament.

MR. HIBBERT said, the Clerical Disabilities Act of 1870, which he had been instrumental in passing, had in every way successfully carried out the intentions of its promoters, and had not only enabled a large number of gentlemen to retire from the Church, but had admitted three or four Members to that House. Although ready to vote for the second reading of this Bill, he could not give it his entire support unless clergymen holding cures of souls or offices under State appointment were excluded from its operation. It was said that this Bill was aimed at one person, and the hon. Gentleman opposite said he should oppose it on the same grounds that he opposed the Oaths Bill. But the opposition to the Oaths Bill was aimed, not at the admission, but the exclusion of one person. If, however, it had been permissible to pass Horne Tooke's Act for the purpose of excluding one person, the House might fairly be asked to pass a Bill to admit one person; but he supported the measure on broader grounds. He desired to see a disability removed. The Clerical Disabilities Act required the person taking advantage of the relief it gave to retire from the Church; but he wanted to know whether they could not go a step further, and provide that a person in Holy Orders, if he had ceased to hold preferment, should not be required to divest him of his reverend character before obtaining admission to that House? If a clergyman became a Peer he could enter the House of Lords without divesting himself of his clerical character, and he saw no reason why the House of Commons should not be placed in the same position as the other House in that respect. Why should they compel a clergyman to divest himself of his black coat before entering that House? He did not see that the House would have suffered in any way if the hon. Member for Southwark (Mr. Thorold Rogers) and the hon. Member for Waterford County (Mr. Villiers-Stuart), who had resigned Holy Orders to become Members of the House, had not been compelled to do so, and had, if they pleased, attended in their places in clerical costume and retained the title of "Rev." Therefore, he saw no objection to the repeal of Horne Tooke's Act, but on the conditions he had named as to excluding beneficed clergymen. So long as the Church of England was connected with the State, it would not be right that clergymen of the Church should be placed in the same position as ministers of other Denominations. Whenever the Church was separated from the State—and he hoped that time might be far distant—then they might agree to place clergymen of the Church in exactly the same position as those of other Denominations.

SIR JOHN MOWBRAY said, the hon. Member for Oldham (Mr. Hibbert) said that the Act of 1870 had worked exceedingly well. Why, then, alter it? This Bill proposed the repeal pure and simple of Horne Tooke's Act. But a Bill without reservations or restrictions or limitations would only bring the law back to the state of confusion which existed before Horne Tooke's Act was passed. The hon. Member for Southwark, who always addressed the House with perfect confidence, laid down as a fact about which there was no doubt that, whatever the law, clergymen had sat in the House. If there was no doubt about the question, how was it there had been so many inquiries before Select Committees? Horne Tooke's Act was not passed in a day or a week. It was the result of inquiry, grave deliberation, and animated debates. He found it laid down that, from the time of Edward I. to the year 1800, neither that House nor the Constitution of the Realm had ever recognized the right of clergymen as such to sit in Parliament. If clergymen had in fact sat, it was because the House had not recognized them as such. But whenever the House took notice of the return of clergymen it declared the return void. Reference had been made to Rushworth's case; but it would, he thought, be found that that completely broke down. Rushworth was ordained a deacon at 21, and only exercised his calling for two months, and the Committee which seated him expressly distinguished his case. As to the Bishops in the other House, they had been placed there either by statute enactment or in great official capacities; therefore, the case of the Bishops was no argument at all. They did not go through contested popular elections; they did not sit for Macclesfield or Boston, or even so immaculate a city as Oxford. He would remind the House of the words used by Lord Temple, who, in 1801, said—

> "I conjure you to pause well . . . . . before you allow priests to desert their pulpits, to search for fame on the benches of the House of Commons, and force them to leave the plain and beaten road of religion, to wander in the crooked and uneven paths of politics; and finally, before you sink the sanctity of the clerical character in the chicanery of private prejudices, of party, and of faction."—[*Parl. Hist.* xxxv. 1368.]

He hoped the House would reject the Bill.

Mr. GREGORY said, he did not attach much importance to the argument that clergymen would be damaged by taking part in contested elections. What they were really dealing with was Horne Tooke's Act. They could not ignore the circumstances which led up to that legislation; on the contrary, he thought they must take them into their present consideration. Clergymen had sat in that House previous to Horne Tooke's Act, but no objection was ever taken to them before. He asked, was this a time for continuing that disability? He believed there was nothing to apprehend from the introduction of clergymen to that House; and as the law at present stood, it operated against those who were too conscientious to relieve themselves of Holy Orders, whilst it did not prevent others who availed themselves of recent legislation for that purpose from sitting in the House.

Sir WILLIAM HARCOURT said, the arguments that had been advanced seemed largely to preponderate in favour of the second reading of the Bill; but he could not support it on the ground adopted by some hon. Members. He could not adopt the grounds advanced by his hon. Friend the Member for Southwark (Mr. Thorold Rogers), or by the hon. Member who had just spoken. They had put it on the ground that clergymen were entitled to sit in that House until Horne Tooke's Act was passed. He believed the opposite opinion was the true one, and he had looked carefully into the matter. He believed that the greatest Parliamentary names were found in favour of the distinct and clear declaration that clergymen were ineligible to sit in the House of Commons. He might mention the names of Addington, Sir W. Scott, Mr. Law (afterwards Lord Ellenborough), Lord Eldon, and Mr. Charles Williams Winn; and this weighty roll of distinguished lawyers declared clearly on this point. As to the present Bill, it would be necessary that it should be altered. They could not take it for granted that but for Horne Tooke's Act clergymen would be entitled to a seat in that House if elected. The ground on which he would support, generally, the second reading was not because the law had been so hitherto, but because he was against the principle of religious disabilities interfering with seats in that House. That was the principle on which the Party to which he belonged had constantly acted; and step by step, and degree by degree, they had removed all the disabilities which existed by the law of Parliament or the Statutes of the Realm. He must ask, however, with regard to this Bill, what the promoters meant to do with the disabilities of the Roman Catholic clergy? Because it was impossible to pass this Bill in its present form without dealing with the 9th section of the Emancipation Act. Under that Act, Roman Catholic priests were subject to certain penalties if they sat in that House; and it would be impossible to admit one class of priests and exclude another. He thought, before the Bill went further, this was a point which the hon. Member in charge of the Bill must very seriously consider. No doubt, n old days the Secretaries of State were nearly always clergymen; and Ambassadors were more often clergymen than not. Gardiner was the Minister of Henry VIII., and the religious and secular elements were combined without difficulty. There was another difficulty, which it would be well if the hon. Member took into consideration, and that was the question of Crown patronage as it would effect clergymen. Would a clergyman holding a seat in the House, accepting preferment from the Crown, be required to vacate his seat? The object of the Act of Queen Anne was clear; and he thought this question would be a thorny one for a Committee to determine. A point was raised as to clergymen being engaged in corrupt practices. Well, they all hoped that under the Bill of his hon. and learned Friend the Attorney General those practices would cease to exist. But there was a much more formidable danger which threatened the right hon. Member for Cambridge (Mr. Beresford Hope) and the right hon. Member for Oxford (Sir John Mowbray), and that was the formidable rivals which this Bill would, when carried, raise up. He should not be surprised to find his right hon. Friends determined opponents of the Bill, for a more formidable rivalry he could not imagine. It had been advanced by the hon. Member for Lincoln (Mr. Hinde Palmer) as an argument against the Bill, that it would create a new evil by tempting clergymen to turn their pulpits into political rostrums; but he (Sir William Harcourt) did not think that that was an evil which would be "created" by this measure, inasmuch as they had already had some experience of it. He did not think, therefore, that that was an argument that they need be afraid of. There must be some restriction in the Bill upon beneficed clergymen; and, subject to the considerations he had advanced, and on the general principle that religious disabilities ought not to be allowed to interfere with the choice of constituencies, he would support the second reading of the Bill.

MR. WARTON protested against the historical disquisition, not of "Historicus," but of the learned Professor the Member for Southwark, and urged, as an argument against the Bill which had not been mentioned by any of the previous speakers, that the Church was one of the Estates of the Realm, and as such was properly represented by Lords Spiritual in the other House of Parliament, and that it was unconstitutional for the Church to seek to extend her rights in that House. If clergymen were admitted into the House of Commons, there would be a demand that the Bishops should retire from the House of Lords.

MR. T. D. SULLIVAN said, he rose for the purpose of referring to the point mentioned by the right hon. and learned Gentleman the Home Secretary with regard to the disabilities of Roman Catholic clergymen. He would have great pleasure in supporting this Bill if it went the whole way in the direction it professed to take; but it did not go the whole way. The Bill proposed to remove the present disability of clergymen of the Established Church to sit in the House; and he contended that if one denomination of the clergy were to be allowed to sit in the House he did not see why the Roman Catholic clergy of Ireland should be excluded. If the Bill passed it would keep out the clergy of all Denominations, except those of the Church of England, and this at a time when the doors of the House of Commons were being thrown open to Infidels and Atheists. He should like to see in that House the Bishops and Priests of Ireland, and he believed they would make efficient Representatives of the Irish people. He had no doubt, if the law were altered, they would see in that House as the Representative of Tipperary, Archbishop Croke with Mr. John Dillon. He should be very glad to see in that House Dr. Nulty, who was, perhaps, better acquainted with the Land Question than any Member of that House. He should like to see in that House Canon Doyle and Father Sheehy, because they would be a great advantage to its deliberations. The Bill, if passed, would exclude the Irish Catholic and Protestant clergy; and if it were passed they would soon have a new and a lively agitation in Ireland, because the Catholic and Protestant clergy of that country would not submit to lie under the disabilities which had been removed from the clergy of the Established Church in England. If the Bill were passed, the Irish people would send those clergymen to the House of Commons to fight out their battle in the same way that Mr. Bradlaugh was doing, and then it would be found that Parliament would have to legislate upon the subject. If the hon. Member who had brought in this Bill would adopt the suggestion of its Seconder, he (Mr. T. D. Sullivan) would be glad to support it; and he believed that other Irish Members would be prepared to do the same.

Mr. S. LEIGHTON said, that the Act of 1870 had relieved the clergy from the professional grievance—complaint of which was made by some persons on their behalf, but not by themselves. He might refer to the case of barristers and officers of the Army, to show how inconsistent the two functions of being Members of Parliament and being actively engaged in their Professions were with the proper discharge of their duties in the latter capacity. The combination of the two functions exercised a demoralizing effect on the Bar as a Profession; the same result would be produced in the case of the clergy if they sat in that House, seeing the vast amount of patronage which was in the hands of the Government. Suppose a number of aspiring and able clergymen constantly attacking the Government, and hon. Members could easily conceive how great would be the temptation to stop their mouths by giving them some ecclesiastical preferment. Suppose the Dean of Westminster, as had been suggested, were in the House, he might in a little time become Prime Minister, and then recommend himself to the Archbishop of Canterbury and hold the two Offices together, as they had been held together before. They would thus be going back to the state of things that existed in the time of Henry VIII. It was an error to suppose that constituencies might return whom they liked, and that the House was bound to admit the person elected. Clergymen in that House would not represent the Church, but their own particular opinions, or the opinions of their constituency or of their Party. The benefit which the Bill proposed to confer was not desired by the Church, and he hoped the House would not assent to the second reading.

Sir H. DRUMMOND WOLFF rose to a point of Order. He had to complain of the manner in which the Bill had been introduced. It was religious in its manner and aims, and ought, he maintained, to have been brought in in Committee of the Whole House.

Sir GABRIEL GOLDNEY said, it was so introduced.

Mr. NEWDEGATE said, he was reminded by the present debate of a scene once enacted in the National Convention of France, when one Anacharsis Clootz made his appearance there as the representative of All Nations. It seemed to him that if the ultra-Liberal disposition to remove all restrictions were to prevail, aliens, now excluded, would be admitted to seats in that House, and then Mr. Speaker would occupy a position analogous to that of Anacharsis Clootz. If the restrictions upon the admission of Atheists were to be removed, he should see little reason for maintaining them against the clergy. Until professed Atheists were admitted, he should abide by the exclusion of the clergy. He asked the House to consider for a moment the probable consequences of the measure it was now invited to assent to. It was his belief that the clergy were best represented by the Bishops in the House of Lords; but the authority of the Bishops was contested, and even openly defied, and if beneficed clergy were admitted to that House, their action might further weaken the authority and power of the Bishops. He saw no advantage to an Episcopal Church in counteracting the authority of the Bishops; and that must result from the admission of the inferior clergy to seats in that House, for their admission would inevitably encourge those among the clergy who were inclined to rebel against the authority of the Bishops. It was upon the practical ground that the measure tended to introduce a principle of confusion into the Constitution of this country that he took objection to it. Moreover, the admission of the clergy to seats in that House was not demanded by any considerable section of them. On the contrary, he believed that the wishes of the clergy pointed in a distinctly different direction. His hon. Friend (Mr. Leighton) had stated that many persons objected to the clergy acting as justices of the peace, and, no doubt, that was the case; but he (Mr. Newdegate) did not concur in that objection. The function of a magistrate was consistent with the Constitution of the Church of England, which defined herself to be a congregation of faithful men, and her clergy as citizens. There was, however, a broad line of distinction to be drawn between the making and the administration of the law. The clergy of the Church of England were peculiarly bound to obey the law, and he (Mr. Newdegate) held that they were peculiarly adapted and qualified to administer the law as justices of the peace; and he believed that their admission to seats in that House would be the introduction of an element of weakness, or he might rather say an aggravation of an element of weakness in the Church, that would be without any countervailing advantage to the House itself.

Mr. W. FOWLER said, the real question to be decided was whether there was any good reason for the exclusion of a large body of highly intelligent men from the House, and he had failed to hear a single sound argument against their admission. It was a matter for a man's own conscience to settle whether his duties as a beneficed clergyman were or were not compatible with those which he would have to discharge as a Member of Parliament. But there were many clergymen who were not beneficed, but who objected to make the declaration under the Act of 1870 which they must do before they could become Members of the House; and why should Parliament exclude them? The true test of qualification was that a Member should be the choice of a constituency, and it was not for the House to say that such or such a man should not be elected. It was absurd to suppose that a clergyman could be defiled more than any other man by having to pass through the turmoil of a contested election. He was glad, he might add, to find that no speaker, not even the hon. Member for North Warwickshire (Mr. Newdegate), had opposed the Bill on the ground that if it were passed its provisions should be made to include the Roman Catholic clergy.

Sir GABRIEL GOLDNEY said, he was in error in stating that the Bill had been introduced in Committee of the Whole House. It had, however, been brought in in a perfectly regular way, in accordance with the precedent set in Horne Tooke's case. He would only add that if the Bill were read a second time he should be prepared to refer it to a Select Committee, by whom the various suggestions made for its amendment might be considered. He should also be prepared to introduce a clause providing that any clergyman taking advantage of the Bill should resign his benefice or preferment, and sign a declaration that he would be incapacitated from holding a benefice or preferment in future.

Question put.

The House *divided:*—Ayes 101; Noes 110: Majority 9.—(Div. List, No. 201.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

## SMALL DEBTS (LIMITATION OF ACTIONS) BILL.—[Bill 78.]

(*Lord Randolph Churchill, Mr. Arthur Balfour, Sir Henry Wolff, Mr. Gorst.*)

### SECOND READING.

Order for Second Reading read.

Lord RANDOLPH CHURCHILL, in moving that the Bill be now read a second time, explained that its object was to diminish the evils of the long-credit system which obtained so largely in this country by limiting the period during which debts under £100 could be recovered to 12 months. Among the upper and middle classes it was a common thing for bills to run on for three or four years, and, as the result, people were tempted to buy articles which they could not really afford; minors ran up enormous bills without the knowledge of their parents or guardians, and wives and daughters in a similar way deceived their husbands and fathers; while the tradesman charged an excess of 16 or 17 per cent, or even more—there was a tailor's case not long ago before the Courts in which as much as 50 per cent was charged—to recoup him for the loss he sustained by waiting so long for his money. He heard the other day of a man owing as much as £14,000 to his fruiterer. The lower class, though affected in a lesser degree, suffered a good deal from the "tally" system. On the whole, therefore, the Bill would, no doubt, be of great public advantage. Tradesmen, as a rule, he believed, would welcome it, though he was not surprised to hear that it had been condemned by some of the West End tradesmen, who, having a wealthy *clientèle,* were interested in keeping up the long-credit system with its attendant surcharges.

Even to West End tradesmen, however, it would probably in the long run prove a boon by saving them from the bad debts which very frequently led them into bankruptcy. Under a ready-money system the co-operative stores, which had done so much harm to tradesmen, would have no *raison d'être*, and the tradesmen of the lower class would reap a direct and immediate benefit from the Bill by receiving the ready money which now went exclusively to the publican. He believed the working classes very seldom paid for necessaries on the spot. The long-credit system was peculiarly English. It was, at all events, quite unknown in France and America, the principal commercial rivals of England, the ready-money system obtaining almost entirely in those countries. Financially, English society at the present time was in a very unhealthy state, and the habit which so many people had of living beyond their incomes was greatly stimulated by the long-credit system. As minor evils of this system, it would be within the knowledge of many hon. Members that young men at the Universities ran themselves head over ears into debt, and that people who were not careful with their receipts were not unfrequently made to pay a bill twice or thrice over. He was aware that there was another Bill before the House on the same subject—the Limitation of Actions Bill—which had come down from the Lords in the name of Earl Cairns. But that Bill applied to all debts, no matter of what amount, and did not limit credit to less than three years. He thought that in the case of large commercial transactions interference of this kind would produce great embarrassment. Hence he had restricted his own Bill to debts incurred on account of necessaries, for which a year's credit seemed ample. It would be well, of course, to allow some interval to elapse before it passed into law, so that tradesmen might prepare for it; but a period of commercial depression like the present was, perhaps, the most favourable for securing the public acceptance of its provisions. People, he believed, would welcome any legislation which promised to enable them to bring their expenses within their diminished incomes, and which would place the country at large in a sounder financial condition. Of course, he did not propose to make the Bill compulsory; it would always be open to people to contract themselves out of it. The limit of six years now set to the recovery of debts was a purely arbitrary one; and it seemed to him that 12 months, so far as sums under £100 were concerned, would be in every way a more convenient one. The noble Lord concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Randolph Churchill.*)

The ATTORNEY GENERAL (Sir Henry James) said, no doubt, the subject was an interesting and important one. He entirely agreed with the noble Lord the Member for Woodstock with respect to the evils of long credit; but the question was whether the Bill which he had now introduced would have the effect he had in view. Under the Bill, the tradesman would not be able to refuse credit altogether; but he would—except in cases of special debts exceeding £100—be able to give credit for 12 months, and recover the amount within that time. The consequence would be that although the credit would be limited from six years to 12 months, they would not diminish the number of times during which credit was given. They would put a weapon into the tradesman's power of being able to give the credit, and of having the excuse to enforce payment within 12 months. The Bill, therefore, would not abolish the evils of the credit system; on the contrary, its effect would be, in some measure, to aggravate them by giving a kind of legislative sanction to credit in the case of the smaller transactions of life, and by producing a crop of summonses at the end of every year. Besides, the foolish undergraduates and dressy women, to whom the noble Lord the Member for Woodstock had referred, would be tempted to raise their bills to more than £100, so as to escape the limitation of credit proposed in the Bill. There was a Bill before the House, sent down from the House of Lords, which had been introduced by Lord Cairns, and had received the approval of the Lord Chancellor, reducing the limit for special debts to six years, and for simple contract debts to three years. To that Bill, which would obviate the evils attending the present Bill, the Government were prepared to give their assent; and it would be perfectly open to the noble Lord the Member for Woodstock, when that Bill came into Committee, to move Amendments embodying his present proposals.

SIR R. ASSHETON CROSS saw the hon. Member for Derby (Mr. Bass) in his place, and he wished to state publicly that he had considerably changed his opinion on the subject of imprisonment for debt since they both sat on the Select Committee on that subject a few years ago. Without pledging himself to any definite measure, he should like to see an alteration of the existing law, provided that some provision was inserted preventing the fraudulent contracting of debts. He thanked the noble Lord for having brought the subject under the notice of the House; but, speaking for the Friends with whom he usually acted, he preferred the Bill of Earl Cairns, which, he thought, would secure the advantages which the noble Lord desired without the inconveniences which would attend the present measure. He hoped the noble Lord would agree to the postponement of the further discussion of this measure until Earl Cairns' Bill was brought forward for consideration.

MR. MARRIOTT said, he had put an Amendment on the Paper that the Bill should be read on that day six months, and he did not feel inclined to withdraw it after what had been said from the two Front Benches. He did full justice to the intentions of the noble Lord, but objected to the principle of the Bill. The chief argument against the Bill was that it was not wanted. The shopkeepers had made no demand for the measure; on the contrary, they were opposed to it. If, as the noble Lord contended, co-operation had been caused by the high prices charged by shopkeepers, why not let co-operation bring down the prices of West End tradesmen? The noble Lord had also said that minors and wives could run up bills without the knowledge of their guardians or husbands; but, in point of fact, the law took good care that neither guardians nor husbands were charged too much. No people would be so much affected by this Bill as the working classes. He was well aware that credit had many evils, and that it might be abused; but there were times when it was of the greatest advantage, and when it prevented working men from falling into a state of absolute destitution. He did not think this measure was wanted. The period of limitation was at present six years; and even, as the law now stood, the Judges did not look with favour on any person who pleaded the Statute. In conclusion, he moved that the Bill be read a second time that day six months.

MR. BIGGAR seconded the Motion. There were, he said, several objections to the Bill, and the chief one was that it did not apply to either Ireland or Scotland. There ought to be a provision in it to prevent Irish landlords recovering their rack rents when a year in arrear. As it stood, it would be so much waste paper. If, too, it were framed in such a way as to prevent shopkeepers charging frightful prices for articles of household use, it might be of avail, and should have his support. Under all the circumstances the measure was unworthy of the consideration of the House, and he hoped the Motion of the hon. Member for Brighton (Mr. Marriott) would be accepted.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Marriott.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. BROADHURST thought the House was much indebted to the noble Lord the Member for Woodstock for introducing this question. It was a mistake to suppose that the working classes did not want the Bill. At the annual meeting of the Trades' Unions Congress, which represented more than 1,000,000 of our organized working people, a demand had been made for a number of years past for a measure of this kind. Credit such as this Bill was designed to limit was the bane of the life of the working classes. It was not natural credit, but artificial and false credit, from which they suffered, and from which the Bill would relieve them. He also thought the noble Lord had rendered another service in eliciting from the Attorney General and the late Home Secretary their strong language in support of the abolition of imprisonment for debt.

SIR EARDLEY WILMOT said, he should not have risen at that late period of the debate, had it not been for the remarks of his hon. and learned Friend the Attorney General on the subject of cedit. He had held the office of County Court Judge for many years, during which he had had ample experience of the habits and necessities of the working classes; and he was convinced that credit was a great boon to them. There were periods, when from want of employment and from sickness in their families and other causes, they were obliged to have credit for food and clothing. At these times the tradesman was their best friend; and he must add, from his own long observation, that the tradesman was kind and forbearing to the debtor. If the artizan could not obtain credit, he would frequently have to go to the workhouse. If the Bill of the noble Lord were to become law, one of two things must happen. Either the tradesman would not give credit at all, which would leave the working man in great stress; or, if the credit were limited to one year, he would prosecute his claim for the debt long before the expiration of the 12 months—the time to which the Bill limited credit for small debts. As regarded imprisonment for debt, he had had many opportunities, during the period he had set as Judge—nearly 20 years—of conferring with the artizan on that question, and he had invariably found that he did not desire the short imprisonment now lawful to be abolished. Workmen frequently had neither goods nor furniture; and if the tradesman could not put this pressure upon them to induce them to keep up their payments, made generally by instalments, he would withhold credit from them altogether.

Mr. LABOUCHERE remarked, that although he differed from the noble Lord on many important questions, he had the highest opinion of his views on these small, minor matters. He was surprised to find, however, that the hon. and learned Member for Chatham (Mr. Gorst), whose name was on the back of the Bill, had written a letter to a newspaper stating that his name had been placed there without his authority, and that he was, in fact, opposed to the measure. He saw opposite him three Members of the Fourth Party, or three-fourths of the Party, and he hoped some one of them would explain this discrepancy.

Lord RANDOLPH CHURCHILL said, he considered that the discussion had been, on the whole, satisfactory, as opinions had been generally expressed in favour of a considerable limitation of the period during which debts should be recoverable. As far as the present Bill was concerned, he would not trouble the House to go to a division. His object was to get an expression of opinion, and that object had been attained. After what the Attorney General had said, he would ask the House to allow the Amendment to be negatived, and then to have the Order read and discharged. If that were done, he should be quite satisfied. He had not seen the letter referred to by the hon. Member for Northampton (Mr. Labouchere). The hon. and learned Member for Chatham (Mr. Gorst) had drawn up the Bill, and it was with his consent that his name had been put on the back of it. If there was any explanation required, it should be given by the hon. and learned Member for Chatham.

Mr. DAWSON said, he thought that such a change as was proposed by the Bill would tend to the improvement of the condition of the people.

Question put, and *agreed to.*

Order for Second Reading *discharged.*

Bill *withdrawn.*

## SUMMARY JURISDICTION (IRELAND) BILL.—[Bill 33.]

(*Mr. Litton, Mr. Errington, Mr. Broadhurst.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [6th April], "That the Bill be now read a second time."

Question again proposed.

Debate arising;

Debate *further adjourned* till *Wednesday* 25th May.

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## LOCAL GOVERNMENT PROVISIONAL ORDERS (BIRMINGHAM, TAME, AND REA, &c.) BILL.

On Motion of Mr. Hibbert, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Birmingham, Tame, and Rea Main Sewerage District, the Local Government Districts of Cowpen and Leigh, the Borough of Nottingham, and the Local Government District of Risca, *ordered* to be brought in by Mr. Hibbert and Mr. Dodson.

Bill *presented,* and read the first time. [Bill 160.]

House adjourned at five minutes before Six o'clock.

# HOUSE OF LORDS,

*Thursday*, 12*th May*, 1881.

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MINUTES.]—PUBLIC BILLS—*Second Reading*—Stolen Goods (60); Charitable Trusts Acts Amendment (59); Elementary Education Provisional Order Confirmation (London) * (68); Elementary Education Provisional Order Confirmation (Clay Lane) * (69).

*Committee—Report*—Inland Revenue Buildings * (73).

*Report*—Municipal Franchise (Scotland) * (55).

## FRANCE AND TUNIS—THE FRENCH INVASION.—QUESTION.

**EARL DE LA WARR** asked the Secretary of State for Foreign Affairs, Whether he had any objection to lay upon the Table of the House the despatch of Lord Lyons containing an assurance that the object of the French invasion of Tunis was not the occupation or annexation of any part of the territory of the Regency; also, whether the noble Earl was able to confirm the statement which had been made in the newspapers, that the French troops were within 17 miles of the city of Tunis?

**EARL GRANVILLE**: My Lords, I have reason to think that the French troops are very near Tunis. I propose in the course of next week to lay Papers on the Table of your Lordships' House relating to this matter.

## STOLEN GOODS BILL.—(No. 60.)

(*The Lord Chancellor.*)

### SECOND READING.

Order of the Day for the Second Reading read.

**THE LORD CHANCELLOR**, in moving that the Bill be now read a second time, said, that as he desired to remove considerable misapprehension on the subject, he would say something both as to the reasons for the introduction of the measure and the provisions which it contained. It was a Bill to increase the powers now possessed by the police authorities with regard to the recovery of stolen goods, and to make other provisions calculated to discourage the receiving of such goods, and to facilitate their recovery. He thought that everybody would admit that this was desirable. It had frequently occurred that very valuable property which had been taken by robbery had never been traced, a fact which showed that the law in its present state was less efficacious in assisting in the discovery of stolen property and throwing difficulties in the way of thieves than it should be. The police authorities of the Metropolis having communicated with those in various parts of the country elicited a unanimous opinion that further legislation was necessary, and that such a Bill as that before their Lordships would give increased facilities for checking the evils complained of. He was told that at present there was no real check on the receivers of stolen goods, and no actual facility for the recovery of goods which had been stolen. For that state of things he did not throw blame on anybody, but it was necessary to find a remedy. A very respectable trade, the pawnbrokers, were, it appeared, greatly alarmed at this Bill, as if it were directed against themselves. When its provisions were carefully looked into it would be found that, though some amendments might be desirable, there was no ground for that alarm. The first set of provisions were perfectly general; the second applied to second-hand dealers; and the third to second-hand dealers and pawnbrokers. The pawnbrokers as a body were a highly respectable body of men; but, of course, in so numerous a class there must be some persons less scrupulous than others, while some who were scrupulous might unwittingly receive articles which had been stolen. He had seen it stated in a printed circular which professed to give reasons why the Bill should not be passed, that its provisions were based on the idea that pawnbrokers and receivers of stolen goods were identical. That was an error into which certainly neither he nor Her Majesty's Government had fallen. No one could be more sensible than he was of the high character of the pawnbrokers generally, and of the high standing of many of them, and nothing could be further from his intention than to throw any slur upon them. It was, however, certain that even the most upright pawnbrokers might sometimes take in pledge articles that had been dishonestly obtained, without knowing that they had been so obtained; and that all pawnbrokers should be exempted from the operation of the Bill was a suggestion which they themselves could not expect to see realized. He had had great satisfaction in receiving a deputation, who very ably represented them. That deputation had made many suggestions; and, as he was not desirous of unnecessarily harassing the trade, he proposed, if their Lordships were pleased to read the Bill a second time, to pass it through Committee *pro formâ*, for the purpose of having it reprinted with some Amendments, founded on those suggestions, which he was willing at once to introduce, and afterwards to have it re-committed to a Select Committee, which would have power to take evidence, so that every opportunity might be given to those who were interested to show how they would be affected by it. The main alteration made in the existing law by the first part of the Bill was in respect to search for stolen goods. At present it was necessary, in order to obtain a search-warrant, that a police-constable should state on oath reasons for believing that articles stolen were in the place proposed to be searched, and should specify what those articles were; and the magistrates did not like to grant such a warrant without proof of a *primâ facie* case, which it was often impossible to establish before search. The 3rd clause of the Bill would enable a Court of Summary Jurisdiction to grant a special warrant on the oath of an officer of the police, being an inspector, or an officer of equal or superior rank to an inspector, that he had received information, from which he believed that stolen articles—without specifying them in detail—were in a particular place. On the authority of this warrant the officer could search, and on discovery of the property and on proof that the person in possession of it had reasonable grounds for believing it to have been stolen, and had, nevertheless, made no communication to the police, penalties would be inflicted. In this respect the Bill did not go beyond the provisions of some local Acts already passed—the Glasgow Police Act, for instance. The provisions of the 4th and 5th clauses rendered it penal to deface or alter goods purchased or received by a person who might have some reason to suppose that they had been stolen. Gold and silver articles were not to be melted down within three days of the time of purchase. The 8th and 9th clauses had reference to the assistance in recovery of stolen articles to be given by pawnbrokers and second-hand dealers, and to the duty of those classes of traders to answer the inquiries of constables. By the Pawnbrokers' Act of 1872, pawnbrokers were under an obligation to keep books, with particulars of the pledges received by them. This Bill extended that obligation to second-hand dealers in precious metals. They were also empowered by the Act of 1872 to hand over to the custody of the police any person whom they suspected of offering stolen goods for sale or in pawn; but that Act contained no indemnity to them in case the person suspected should prove to be innocent. It was proposed by this Bill to give such an indemnity, and the 11th clause gave compensation to pawnbrokers and others for loss of time, and the expense they might be put to in giving information. Second-hand dealers were to be required to take out a licence, which, in the first instance, was to be obtained on the certificate of a justice; and by Clause 14 it was enacted that no second-hand dealer should purchase an article from a child under 12 years old, or from a person appearing to be intoxicated, or employ any person under the age of 16 to receive goods. Similar provisions to these were already in force as to pawnbrokers. By Clause 15 it was provided that where a pawnbroker was convicted of an offence punishable under the Pawnbrokers' Act of 1872, or this Act, and had previously been convicted of the same or any other offence under either Act, or where a second-hand dealer was convicted of an offence under this Act, and had previously been convicted of the same or any other offence, the Court before whom he was convicted might direct his licence or certificate to be endorsed with a record of the conviction, and if any conviction had been endorsed against him within five years previously might direct his licence or certificate to be forfeited. It had been represented to him that, as that clause stood, it was too severe, as the previous conviction under the Pawnbrokers' Act might be for non-compliance with regulations in some matters of detail not seriously affecting the public. He therefore proposed to amend it by providing that the former penalty must have been over £5, which would exclude penalties for any but serious and repeated offences. There were three other clauses of great importance, which he could not help thinking were those which chiefly alarmed the pawnbrokers. It was proposed in the Bill that after any conviction, either under the Pawnbrokers' Act, or this Act, or the Public Stores Act, a Court might direct the person convicted to be registered, the effect of which would be to put him under certain specified restrictions, and the commission of any further offence would entail further restrictions. It had been represented that some of those restrictions were of a kind which, if applied to pawnbrokers, would make it impossible for them to carry on their business. He thought, on consisideration, that the objects of these clauses would be sufficiently attained, without extending them to pawnbrokers: he intended, therefore, to limit them so as not to include pawnbrokers. There was also a provision as to the liability of agents and servants of pawnbrokers and second-hand dealers, which he thought would be found useful. By Clause 22 an appeal to Quarter Sessions was given where a fine exceeding £5 was imposed; and Clause 23 provided that a conviction for any offence under this Act should not after five years be receivable in evidence against the person so convicted. He would only add, in conclusion, that the Bill was conceived entirely in the public interest, to facilitate the recovery of stolen property; and, looking to the fact that its provisions would be examined by a Select Committee, he trusted their Lordships would now give it a second reading.

*Moved*, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

THE MARQUESS OF SALISBURY said, that the Bill his noble and learned Friend on the Woolsack had introduced might be accurately described as being of the same class as another Bill which he would bring forward shortly—namely, as an effort on behalf of a Department of the Government to increase its powers, and consequently to diminish, in a corresponding degree, the rights and privileges of the other subjects of Her Majesty. Everybody knew that Departments of the State often conceived it to be for the interest of the public that their powers should be increased; but it was their Lordships' duty to watch vigilantly proposals of this kind, and to see that they were not adopted without careful inquiry. The public necessity of this Bill rested almost entirely on the evidence of the police authorities. He had great respect for the police as a body; but a Bill to give the police so much more power required some other testimony of its necessity. This Bill had given great alarm to that very respectable body of traders, the pawnbrokers; but he was glad to find from the observations of his noble and learned Friend that the representations of that body had had some effect with him. If his noble and learned Friend had proposed to push the Bill through the House in its present form, he should have felt it his duty to say that their Lordships ought to examine the evidence in its favour with great care; but as it had passed from the hands of the Criminal Investigation Department—where he supposed it originated—to his noble and learned Friend, who was willing that it should be considered by a Select Committee, he need not detain their Lordships further than to express his opinion that the wisest course would be to refer the Bill to a Select Committee.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

## CHARITABLE TRUSTS ACTS AMENDMENT BILL.—(No. 59.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, he was aware that the Bill was objected to by many excellent persons who thought that it might have a tendency to injure certain charities, and particularly to encroach upon charities supported by voluntary contributions; but, in his opinion, the alarm which had been created was not justified by the clauses of the Bill. At all events, he should be sorry to be responsible for any measure which could injure any of those excellent institutions which were petitioning against this Bill. It was never intended to affect that portion of their funds which was derived from voluntary subscriptions. The only ground for any apprehension on that score was a provision adopted from a Bill introduced by his noble and learned Friend (Earl Cairns) in 1878, that permanent investments of savings from subscriptions should, after the lapse of a certain number of years, be regarded in the same light as original endowments. He was willing to modify that clause, if necessary, by extending the time, and also to provide that it should not apply to a reserved fund set apart to meet future deficiencies of income. He disclaimed all intention of injuring these charities. It had been said that ever since the passing of the Act of 1853 the Charity Commissioners had been seeking to increase their power and extend their operations. No doubt they had always endeavoured to extend their operations within proper limits; but no one ought to blame them for that, because if such a body as the Charity Commissioners was to exist at all it must be their duty to exercise their functions in all cases in which they found charities improperly or unwisely administered, and to seek from Parliament the removal of all impediments to their efficiency. Without question, the operation of the Act of 1852 had been most beneficial. The manner in which the Charity Commissioners had discharged their duties entitled them to public confidence. The Commission had been in existence for 28 years, and out of 7,100 orders which they had made only six had been appealed from, and out of those six appeals only two had been successful. That showed the value of their labours. The present Bill proposed, in several respects, to extend their powers, but not, he thought, in any way which the experience of the past did not justify. It contained 26 clauses, of which 16 were taken from the Bill of 1878, introduced by the late Government. The most important of the proposals not taken from the Bill of 1878 were, to enable charity funds to be vested in the official trustees, without in any way interfering with their administration, by the authority of the Commissioners, though no application might be made to them for that purpose; to enable the Commisssioners to settle schemes for the better administration of charities, according to existing trusts, subject to an appeal to the High Court of Justice, though the trustees of the charities might not themselves desire it, and though the income might exceed £50 a-year; to enable the provisions of Acts of Parliament—he proposed to limit this to Private Acts—to be altered by such schemes; to enable the Commissioners, when it appeared by the accounts of charities rendered to them that monies had been misapplied, to order payment of such monies, subject to an appeal to the Court; and to place the appointment of new trustees of charities by co-optation under such regulations as would secure the appointment of fit persons, and prevent unnecessary expense to the charities. He should be willing to exempt incorporated charities, such as the great hospitals, and others like them, from those provisions which seemed to have excited their alarm, and which were really intended for cases of a very different kind. The objects of the Bill had been very much misunderstood in certain quarters; and he thought that, when this misunderstanding was removed, on a fair consideration of the provisions of the Bill, it would be approved by the country.

*Moved*, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

THE MARQUESS OF SALISBURY said, his noble and learned Friend had given a faithful account of the Bill; but by a dexterous distribution of light and shade, in touching on its various provisions, he had withdrawn from the view of their Lordships the enormous change it made in the position of the Charity Commissioners towards the various charities of the country. Their Lordships must remember what were the original functions of the Charity Commissioners. The function of the Commissioners was, with the consent of the trustees, to deal with charities all over the country, modifying provisions which had come down from remote times and were no longer suitable to the circumstances of the localities. Absolute power was subsequently given to them to deal with charities of a lower value than £50 a-year. For that there was a great deal to be said, because it could not be expected that charities of an insignificant value would receive the same attention as larger ones at the hands of trustees. But what was proposed now was to take all the charities of the country, from the largest hospital to the smallest village foundation, and hand them over absolutely to the direction of the Charity Commissioners. When he said direction, he did not mean that their daily administration would be in the hands of the Charity Commissioners; but if this Bill passed, the Charity Commissioners would have the power of re-writing the will of the founder, and not only that, but of re-writing the Statutes made since in respect of those charities, and even the schemes which had been sanctioned by the High Court of Chancery. It came to this—that whereas before they required that the trustees and the Charity Commissioners should concur, they now set the trustees aside and gave general and absolute power to the Commissioners. He was not arguing in favour of what was called the "dead hand," or of an absolute unalterability of the provisions of a trust, for he was well aware that as time went on the alteration of circumstances was such that trusts must frequently need modification; but he argued against the assertion that the Charity Commission were so very superior to the trustees of the great charities that it was right to dethrone the trustees and set up the Charity Commission in their place. While entirely agreeing that the Charity Commissioners had done good service, and disbelieving that they would make any misuse of powers placed in their hands, they could not, on the ground that the present members were excellent men, justify giving them such vast powers. It was impossible not to see that the effect of this great change would be to diminish everywhere the local supervision of the charitable trusts, and sweep them all under the direction of one central body—a central body which would be appointed by the Minister of the day; and the persons who enjoyed the benefits of these trusts and those who took an interest in them would see with alarm the result that the private and independent exercise of these trusts would disappear, and the vast revenues of the charities would be more and more administered in obedience to the behests of the central authority. There were clauses in this Bill for providing new schemes, which would have a very considerable effect. The trustees of all charities, however large, respectable, or important, must in future have their names sent up to the Charity Commission to be approved. Distinguished gentlemen, who devoted a great deal of their time and attention to these charities, might very well decline to have their names sent up to the Charity Commission, who, like other mortals, might cast a slur upon candidates by objecting to the names sent up. If it were not sufficient to be elected by those who were entitled to elect them, such gentlemen would, of course, retire. That would be the very general feeling; and great discouragement to the elected trustees would be the result. Again, some of the charities had a large property in land; but under this Bill in the smallest reference to a Court of Law, for getting the rent, perhaps, of a 2*s.* 6*d.* cottage, it would be necessary for the Charity Commission to institute a suit; and where injunctions were required, for instance, to prevent the value of house property being destroyed by building in front of it, it would be necessary to go to the Charity Commission to allow immediate reference to be made, lest delay should make the process useless. He thought the Bill would produce alarm and disgust among a large number of those who took pleasure in the administration of these trusts; and he believed that those who now conferred a great public benefit by much self-denying sacrifice of time and labour would withdraw from their independent administration when they found it transferred to the management of a Central Board in London. The noble and learned Lord on the Woolsack might have every confidence in the excellent intentions of the Charity Commissioners, and he did not wish to doubt their good intentions; but he could not help calling attention to one recommendation in their last Report, which showed the kind of spirit by which they were actuated. They recommended that a number of inspectors should be appointed, and they added that it would be a matter for consideration whether it would not be advantageous that they should be *ex-officio* governors of the educational endowments in the district. The result of this proposal would be that the officers of the Commission would have votes, and might be supreme in the government of those educational charities. He did not wish to say a word disrespectful to the Charity Commissioners; but with all their burning desire to do good, and their seeming confidence that they alone could do good, they still required the greatest vigilance to be exercised towards them on the part of their Lordships' House.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 24*th instant.*

### IRISH LAND BILL, 1870.

### MOTION FOR A PAPER.

*Moved,* for a print of the Irish Land Bill, 1870, as read a first time in the House of Lords, showing by difference of print or ink, or by both methods, the amendments made in the Bill as returned to the Commons, and what afterwards became of such amendments, *i.e.*, whether agreed to or disagreed to or further amended.—(*The Earl Cairns.*)

EARL SPENCER said, he thought such a Return rather unusual; but it was not the intention of the Government to offer any opposition to it. But there might be some difficulty in carrying it out. He desired to know if the noble and learned Earl wished to have a *facsimile* of the Bill, so as to show its complete history, or whether he only wished the Bill to be shown with the Amendments after it left the Commons and was presented to their Lordships' House, and the state in which it left on its return to the other House? He hoped the noble and learned Earl would allow the words to be added—"or otherwise."

EARL CAIRNS said, all he wanted was a print of the Bill as it was introduced in that House, and as it was afterwards when sent back to the Commons.

Motion *agreed to.*

Ordered to be laid before the House.

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

# HOUSE OF COMMONS,

*Thursday,* 12*th May,* 1881.

MINUTES.]—SELECT COMMITTEE—Extraordinary Tithe, *nominated;* House of Commons (Accommodation), *nominated.*

PUBLIC BILLS — *Ordered—First Reading*—Pier and Harbour Orders Confirmation (No. 2) * [161]; Local Government Provisional Orders (Cottingham, &c.) * [162]; Local Government (Ireland) Provisional Orders (Bandon, &c.) * [163]; Parliamentary Registration * [165].

*First Reading* — Local Courts of Bankruptcy (Ireland) * [164].

*Second Reading*—Land Law (Ireland) [135]—[*Sixth Night*]—*debate further adjourned.*

*Committee* — Petty Sessions Clerks (Ireland) * [41]—R.P.

## QUESTIONS.

### SOUTH AFRICA—NATAL—SIR OWEN LANYON.

MR. RYLANDS asked the Under Secretary of State for the Colonies, Whether Sir Owen Lanyon is still retained in the service of the Crown in South Africa; and, in that case, what are the duties which he now performs?

MR. GRANT DUFF: Sir Owen Lanyon is on his way to Europe on leave of absence. We believe him to be at this moment at Newcastle, in Natal, ready to reply to any questions which the Commission may think fit to address to him.

### ARMY (AUXILIARY FORCES)—REVIEW OF SCOTTISH VOLUNTEERS BY THE QUEEN.

MR. FRASER MACKINTOSH asked the Secretary of State for War, Whether a Review of Scottish Volunteers will be held by Her Majesty at Edinburgh this year; and, if so, on what date?

MR. CHILDERS: In reply to my hon. Friend, I beg to state that Her Majesty authorizes me to inform the House that she hopes to hold a Review of the Scottish Volunteers in the Queen's Park, at Edinburgh, on some day between the 20th and 31st of August.

### VACCINATION ACTS—VACCINATION IN WORKHOUSES.

MR. HOPWOOD asked the President of the Local Government Board, Whether it be the fact that Dr. Stevens, one of the Inspectors appointed by the Department at the Board of Guardians for St. Saviour's Southwark, recently suggested that in future all children born in the workhouse should be vaccinated before they were allowed to leave, however young they might be, and, in answer to questions, was clearly of opinion that the Guardians had the power to enforce this, even without the consent of the mother upon admission. It was pointed out to him that, in the opinion of some medical men, this would be injurious to the mother, by causing much mental anxiety, and that fatal cases of this kind had been known; but he replied that it would cause the mother still greater anxiety were the child to have small pox; and, whether such a course of proceeding is justifiable by any, and what, law; and, if not, whether he will not at once express disapproval of it?

Mr. DODSON: I find that Dr. Stevens did suggest that children born in the workhouse should be vaccinated before leaving; and that, subject to the opinion of the medical officer in any particular case, this should be done on the sixth day after birth. Dr. Stevens did not express any opinion of his own as to whether the Guardians could enforce this without the consent of the mother; but he did refer to an opinion of the Poor Law Board to the effect that they could. This opinion seems to have been given so far back as 1848.

Mr. HOPWOOD asked whether the order was a legal one?

Mr. DODSON: The hon. and learned Member asks my opinion on a point of law. My own opinion is that vaccination cannot be enforced in the circumstances if the mother objects.

## CRIMINAL LAW—RE-PUBLICATION OF THE "FREIHEIT."

Mr. BELLINGHAM asked the Secretary of State for the Home Department, If it is a fact that, under the auspices of the Social Democratic Club, the "Freiheit" has reappeared as an English instead of a German newspaper; whether Herr Most's famous article on the Assassination of the Tsar, for which he has been prosecuted by the Government, has been reprinted in English under the title of Regina *v.* Most; whether the paper states that the publication is intended as an answer to the attempt to suppress "our German contemporary;" and, whether Her Majesty's Government intend to take any steps in the matter?

Sir WILLIAM HARCOURT: I believe that there is such a paper as that alluded to by the hon. Member's Question, and that an English translation of the article referred to did appear in that paper. The article professes to appear in the form of a report of the proceedings in the Bow Street Police Court. In answer to the last Question, I have to say that I do not think it desirable to take any steps in this matter—at all events, until after the trial of Most.

## CROWN AGENTS FOR THE COLONIES—MEMORANDUM OF SIR PENROSE JULYAN.

Mr. ANDERSON asked the Under Secretary of State for the Colonies, If there is in the Colonial Office a Memorandum which Sir Penrose Julyan, while one of the Crown Agents for the Colonies, addressed to Sir Michael Hicks-Beach, explaining the position of the Office; if Copies of that Memorandum were sent to the Colonies; and, if there is any objection to lay it upon the Table?

Mr. GRANT DUFF: We cannot give this particular document, which is of a purely confidential character, prepared by the orders of the late Secretary of State for his own information; but, as the subject seems to excite some interest, I will presently lay on the Table Papers which will explain the duties and status of these officers more fully than can be done by answers in this House.

## ACCIDENTS IN MINES—REPORT OF THE ROYAL COMMISSION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If there be any prospect of the Royal Commission which was appointed to inquire into the prevention of accidents in mines several years ago making a Report this year before the close of the Session; and, whether he is aware that a similar Commission was appointed some time ago in Belgium, and that the Belgian Commission reported in one year and six months from date of its appointment?

Sir WILLIAM HARCOURT, in reply, said, he had a letter from the Secretary of the Commission, who said that before the end of the Session he would present a preliminary Report, along with a valuable body of evidence. The Secretary gave as a reason why the proceedings of the scientific inquiry had been so much prolonged that it had been necessary to repeat the experiments on the safety lamps and coal dust in various districts. With reference to the Belgian Commission, it only indicated the inquiry, and suggested the employment of a permanent Commission.

## NATIONAL EDUCATION (IRELAND)—TEACHERS OF MODEL SCHOOLS.

Mr. JUSTIN M'CARTHY asked the Secretary to the Treasury, If, on the compulsory retirement of the extern teachers attached to the various model schools in Ireland on the 31st of March last, the Commissioners of Education recommended teachers having a lengthened period of service (ten years and over) to the Lords of the Treasury for a gratuity or superannuation allowance, and if such gratuity or allowance has been made to the extern teachers or to any of them; and, if not, whether the Treasury would take the case of this respectable and deserving body of teachers into consideration?

LORD FREDERICK CAVENDISH: Extern teachers are persons employed for five to seven hours a-week in teaching singing or drawing at model schools. At the beginning of 1881 there were 14 of them; but the services of 12 of these have been dispensed with after four months' notice had been given. Four of these had taught in the manner I have described upwards of 10 years, as stated by the hon. Member, and were recommended by the Commissioners of National Education for a grant of public money. It is impossible to grant them pensions, as this cannot be done even for regular model school teachers, who, I may remind the House, are not civil servants. It did not appear to the Treasury that the occasional character of their employment would warrant the grant of a gratuity from public funds. They received ample notice that their services would no longer be required.

## PEACE PRESERVATION (IRELAND) ACT, 1881—ARMS LICENCES.

MR. HEALY: In the absence of the Chief Secretary to the Lord Lieutenant of Ireland, I wish to ask the Attorney General for Ireland, If he will state whether the Government approve the refusal of arms licences in Ireland on the ground that the applicants are Land Leaguers?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): According to the provisions of the Arms Act, the issue of licences for arms is left within the jurisdiction of the magistrates, who issue or refuse them in the exercise of their discretion in the several cases which come before them, acting on their own responsibility without interference on the part of the Government. I must, therefore, decline to lay down any general rule for their guidance. Each case must stand on its own individual merits.

MR. HEALY asked whether any instructions had been given by the Government on the subject?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): None, so far as I know.

## PRISONS (ENGLAND) ACT—FIRST-CLASS MISDEMEANANTS.

MR. HEALY asked the Secretary of State for the Home Department, Whether Colonel Valentine Baker, when imprisoned for twelve months, was treated as a first-class misdemeanant, and whether as such he was not allowed to read any newspapers, English, Irish, Colonial, or Foreign, illustrated or otherwise, that he chose to pay for; whether English prisoners who are merely suspected of crime are while awaiting trial only allowed to provide themselves with London daily newspapers and a paper from their own locality; and, whether in case the London weekly newspapers, or the "Newcastle Chronicle," the "Graphic," or the "Illustrated London News," were sent to such prisoners by their friends, these papers would be stopped by the prison officials?

SIR WILLIAM HARCOURT: The case to which the hon. Member refers occurred before the prisons passed under the control of the Government; and, therefore, I cannot state what course was taken by the local authorities in that case. With regard to the treatment of English prisoners before trial, the question as to what newspapers shall be supplied to them lies within the discretion of the Visiting Committee. What view the Visiting Committee may take of *The Newcastle Chronicle* and of the other newspapers to which the hon. Member refers, I am, of course, quite unable to state.

## LAW AND JUSTICE—PETITIONS OF RIGHT.

MR. J. R. YORKE asked the Secretary of State for the Home Department, Whether, in the case of a Petition of Right by an individual seeking to restrain an interference, or threatened interference, by the War Department, or any other Department of the State, with his private property, it is the practice that a "fiat" should issue forthwith, or whether Her Majesty's Government assume to themselves the discretion of advising Her Majesty to delay or withhold the "fiat," at the risk of a differing or negation of justice to the subject, within the meaning of Magna Charta?

SIR WILLIAM HARCOURT, in reply, said, there had been no departure from Magna Charta in the cases referred to. The same rule was observed that had been observed for centuries. The Government had no right arbitrarily to refuse a Petition of Right. A case for a Petition of Right first went before the Secretary of State, who referred it to the Attorney General for his advice. The question whether it should be granted or not was referred to the Attorney General; and every care was taken not to deprive an applicant of an opportunity of enforcing any right he might have to redress. There were, however, some rights which could not be enforced.

## BULGARIA (POLITICAL AFFAIRS)—PROCLAMATION OF PRINCE ALEXANDER.

LORD EDMOND FITZMAURICE asked the Under Secretary of State for Foreign Affairs, If he has any information in regard to the political crisis in Bulgaria, and the rumoured intention of Prince Alexander to resign?

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether it is true, as stated in the public prints, that at Sofia the Prince of Bulgaria has violently subverted the Constitution duly established with the sanction of the Powers under the Treaty of Berlin, and attempted to usurp complete authority; if so, whether Her Majesty's Government have yet taken any action in the matter; and, whether Her Majesty's Consul General at Sofia will hold any diplomatic intercourse with the usurper, beyond warning him of the personal responsibility which he incurs?

SIR CHARLES W. DILKE: I greatly regret to say that the statements which have appeared in the newspapers are true. Her Majesty's Agent at Sofia has telegraphed that the Proclamation of the Prince of Bulgaria states that for two years he has endeavoured to govern in accordance with the Constitution, but that he finds that the country is in a state of disorder; that he will convoke a great National Assembly, and that he will submit to it the conditions upon which he will consent to remain. Should these conditions not be accepted, he says that he will abdicate. General Ehrenroth has been appointed Minister, and the elections to the Assembly are to take place in July.

## FRANCE—NEW TREATY OF COMMERCE (NEGOTIATIONS).

LORD JOHN MANNERS asked the Under Secretary of State for Foreign Affairs, Whether the Government have received any Memorials or Resolutions from Chambers of Commerce deprecating the renewal of the French Treaty of Commerce on unfavourable conditions; and, if so, whether he will lay them upon the Table of the House?

SIR CHARLES W. DILKE: Memorials and Resolutions have been received from Chambers of Commerce, expressing various opinions with regard to the renewal of the French Treaty of Commerce, and they will be laid on the Table in due course with the rest of the Papers relating to this subject. I have to-day laid on the Table some important Correspondence with the French Ambassador and Lord Lyons respecting the promulgation of the General Tariff.

## FRANCE—THE NEW FRENCH GENERAL TARIFF—THE COBDEN TREATY.

MR. W. H. SMITH asked the Under Secretary of State for Foreign Affairs, If he will lay upon the Table of the House, a Return showing the difference between the duties prescribed by the so-called Cobden Treaty with France and the Conventional Tariff on the importation of British Goods which is now in force, as the result of the most favoured nation clauses of the existing Commercial Treaty?

MR. CHAMBERLAIN, in reply, said, the Returns would have to be prepared by the Board of Trade, and if the right hon. Gentleman would move for them he might have them as unopposed. Perhaps, at the same time, he might reply to a Question on the same subject, of which Notice had been given by the hon. Member for Manchester (Mr. Birley). The hon. Member was aware that the General Tariff was promulgated on the 8th instant, and on the 10th instant a comparative Return was sent to the printer; but he stated that the proof would not be ready for eight or ten days.

## RAILWAYS—METROPOLITAN DISTRICT RAILWAY COMPANY.

Mr. FIRTH asked the President of the Board of Trade, Whether it is the fact that the Metropolitan District Railway Company decline to issue Parliamentary tickets by more than two trains each day; whether it is not the fact that the third-class fare between certain stations on the line is double the Parliamentary rate; and, whether the action of the Railway Company is legally justifiable; and, if not, whether he is prepared to take measures to secure the interests and rights of the travelling poor?

Mr. CHAMBERLAIN, in reply, said, he was informed that the statements generally in the Question of his hon. Friend were correct. He was also informed that the fares now charged by the Company were not in excess of the maximum rates allowed by the Act of Parliament. The Regulation of Railways Act, 1844, provided that the Company should run each day one train each way for the carrying of third-class passengers, and that not more than a penny per mile should be charged. Under these circumstances, it did not seem that the Company exceeded their powers; and the Board of Trade, therefore, had no right to interfere.

## LAW OF LIBEL — THE BOSTON ELECTION.

Mr. HENEAGE asked Mr. Solicitor General, Whether he has come to any determination as to what steps should be taken in reference to the articles in the "Boston Independent" newspaper, imputing to the Attorney General that the prosecutions instituted by him against certain persons in connection with the late Election at Boston were dictated by motives other than a sense of public duty?

The SOLICITOR GENERAL (Sir Farrer Herschell), in reply, said, the imputations cast upon his hon. and learned Friend the Attorney General, in reference to the motives which actuated him in instituting certain criminal proceedings, were of a serious character, and it was a matter of great public importance. He had had, therefore, seriously to consider whether he should apply for a criminal information against those who published these articles. But while the matter was under consideration, the proprietor of the newspaper in question unreservedly withdrew all imputations against the Attorney General, and expressed his belief that the Attorney General was actuated only by a sense of public duty. The proprietor of the newspaper had also written to the Attorney General, making an ample apology. Under these circumstances, he had come to the conclusion that the matter might be allowed to drop. But the question whether the prosecutions which had been instituted should be tried in a locality where the jury would not be influenced by these newspaper articles still remained for consideration.

## ARMY RE-ORGANIZATION—THE COMMITTEE AND THE NEW SCHEME.

Mr. O'SHEA asked the Secretary of State for War, Whether, in consideration of the length of time during which many officers in the Army have been kept in uncertainty as to their fate under the re-organization scheme, he will urge on the Committees which are sitting at the War Office for the purpose of settling the details of that scheme the advisability of speedily reporting thereon?

Mr. CHILDERS: In reply to my hon. Friend, I have to assure him that we are making satisfactory progress with the details of the changes due to the General Plan of Re-organization which I have explained to the House. The Committee are sitting from day to day, and a great many questions have been settled by the Commander-in-Chief and myself; and I fully hope to complete and publish the decisions which have to be made in a reasonable time, before the 1st of July.

## CONTAGIOUS DISEASES (ANIMALS) ACT—FOOT-AND-MOUTH DISEASE—OUTBREAK AT DUKINFIELD.

Mr. WILBRAHAM EGERTON asked the Vice President of the Council, Whether his attention has been called to a fresh outbreak of foot and mouth disease which occurred on the 25th ultimo at Dukinfield, and which has been traced to an Irish cow recently imported, and purchased on the 13th

April from a drover at Ashton under Lyne; and, whether the vessels which bring cattle from Ireland are thoroughly disinfected and cleansed after each voyage?

MR. MUNDELLA: The outbreak of foot-and-mouth disease which occurred at Dukinfield on the 25th ultimo may have been traced to an animal of Irish origin; but we have no doubt whatever that the disease was contracted after landing in England. There has not been a single case of the disease reported in Ireland since October, 1879. And although we are constantly receiving complaints that Irish cattle convey the disease, we are able in every instance to trace that the animals have been some time in England before developing it. Stringent regulations have been issued by the Privy Council, both in England and Ireland, respecting the cleansing and disinfection of vessels carrying animals, and whenever they are found to be infringed the owners of the vessel are prosecuted. We have one such prosecution pending now. We are constantly hearing it stated that Irish cattle bring over disease; whereas the fact really is that Irish cattle contract disease after their arrival in this country.

## FRANCE AND TUNIS—THE TURKISH FLEET.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will lay upon the Table Copies of the Despatches from Lord Lyons respecting the assurances given by the French Government that the French forces will be withdrawn from Tunis so soon as the Kroumir question is disposed of; and, whether he will also lay upon the Table Copies of the Correspondence with the Governments of Italy, Turkey, or any other power concerning the action of France in Tunis; and, whether Her Majesty's Government have received from Her Majesty's Ambassador at Constantinople any Report as to the communications made to the Porte by the French Ambassador on the subject of the departure of Turkish ironclads for Tunisian waters; and, whether he can state in detail the contents of such communications, and lay Mr. Goschen's Report upon the Table?

SIR CHARLES W. DILKE: Papers on the subject are being prepared, and it is hoped they will be ready for presentation to Parliament in the course of the ensuing week. No Report has been received from Mr. Goschen as to what has passed between the French and Ottoman Governments with reference to the departure of Turkish ironclads for Tunisian waters beyond the mention of the fact that a Note respecting it had been presented by the Porte; but we have since received from the Porte a copy of the French Note, which, indeed, appears in a Paris journal of to-day.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR DILLON, M.P.

MR. JUSTIN M'CARTHY asked the First Lord of the Treasury, Whether he is prepared to afford any facilities for the early discussion of the Motion on the Arrest of Mr. Dillon, M.P., and the conduct of the Irish Executive?

MR. GLADSTONE: I cannot see the cogency of the hon. Member's request, seeing that he withdrew the Motion immediately before Tuesday last, when it was almost certain he could have brought it on. ["Oh, oh!"] There were no other Motions in the way which threatened to lead to any lengthened discussion; instead of which a discussion of several hours' duration was raised on the Motion for adjournment. Still, I should be glad to meet the views of the hon. Member if it were in my power; but if he means to ask whether I will set aside the Land Law (Ireland) Bill to make way for it, then my answer must be in the negative.

MR. JUSTIN M'CARTHY asked whether the right hon. Gentleman would give a Morning Sitting for the discussion of Mr. Dillon's arrest?

MR. GLADSTONE: Nothing but a strong public necessity would induce me to ask the House for a Morning Sitting at this period of the year. The hon. Member withdrew his Motion, and therefore I think we can hardly say there is that strong sense of public necessity.

## RELIGIOUS DISABILITIES—LEGISLATION.

MR. BELLINGHAM asked the First Lord of the Treasury, Whether, in view of the general principle of absolute religious toleration in the Government of this Country, he is prepared to advocate the abolition of all remaining religious checks at present existing such as those which prevent a Lord Chancellor or Sovereign of Great Britain being a Catholic, and thus to endanger the Protestant succession as established by Law?

Mr. GLADSTONE: No, Sir; the Government have no intention of advocating anything of the kind.

### TREATY OF BERLIN—ARMENIA.

Mr. BRYCE asked the Under Secretary of State for Foreign Affairs, Whether it is true, as reported in the newspapers on May 9th, that the Turkish Government is disarming the Christian population of Armenia, while permitting the nomad Kurds to retain their arms; and, whether, if the statement is true, the British Ambassador will be instructed to point out to the Porte the danger of such a step, as putting the peaceable inhabitants of the country even more completely than they now are at the mercy of the robber tribes?

Sir CHARLES W. DILKE: A Report from Van, dated March 15, states that the authorities were taking certain measures in view of disaffection among the Armenians. The Armenian Council had been requested to send in a statement of all Societies existing among the Armenians, with their objects; and a Club which had been started a few months previously had been closed on account of speeches made there. No mention is made of disarming the Christian population. Her Majesty's Government will, however, ask whether there is any foundation for this Report.

### PUBLIC HEALTH—SMALL-POX (METROPOLIS) HOSPITALS.

Mr. W. H. SMITH asked the President of the Local Government Board, If he is aware that the Smallpox Hospitals of the Metropolitan Asylums Board are full, and that persons suffering from smallpox are now lying in lodging-houses in crowded neighbourhoods, to the great danger of the other inhabitants; and, whether he will state what steps he proposes to take to provide the Asylums Board with the necessary powers to deal with the epidemic, and with sufficient authority to carry out "The Metropolitan Poor Act, 1867?"

Mr. DODSON: I am sorry to say that the small-pox hospitals are full, or nearly so; but I have no information that persons suffering from small-pox are now lying in lodging-houses, although I fear such may probably be the case. I had hoped that supplementary provision would have been made by the Guardians and the Vestries and District Boards, and this, to some extent, has been done; but I regret to say that in other cases where exertions have been made to provide accommodation these exertions have been paralyzed by actual or threatened legal proceedings. At the same time, it is satisfactory to be able to state that the Metropolitan Asylum Managers are exerting themselves to the utmost to provide temporary accommodation on their property at Darenth for 300 or 400 convalescent patients, and this will afford considerable relief to the present hospitals. I may add that the Local Government Board is in communication with them respecting further immediate provision.

### PARLIAMENT—BUSINESS OF THE HOUSE—THE COUNT-OUT ON TUESDAY.

Colonel ALEXANDER rose to ask the First Lord of the Treasury, Why the House was allowed to be Adjourned on the Motion of the Hon. Member for the city of Cork on Tuesday the 10th instant before 9 p.m., when a Resolution affecting the interests of the Police of Great Britain, for the third time during the present Session, occupied the first place on the Notice Paper? He might, in putting that Question, state that he never left the House during the whole evening, not even venturing as far as the tea-room. When, however, the hon. Member for Dungarvan (Mr. O'Donnell) rose to address the House on the Question of the adjournment, he went to the Bar to get some refreshment, which was absolutely necessary, and in the short interval of three minutes he found that the Solicitor General for Ireland had consented on the part of the Government to the adjournment of the House, although it was known that an important Motion was going to be brought forward. He hoped the Government would do something to protect the rights of private Members. The ballot for a place on the Order Book was rapidly becoming a complete farce.

MR. GLADSTONE: I do not know, Sir, whether I am to reply to the speech of the hon. and gallant Member; but, so far as the question is concerned, I will reply to it as well as I can. The hon. and gallant Gentleman asks why the House was allowed to be adjourned? Well, I believe the House was allowed to be adjourned because no Member chose to challenge the adjournment.

COLONEL ALEXANDER: The Solicitor General for Ireland was present, and did not challenge it on the part of the Government.

MR. GLADSTONE: The hon. and gallant Gentleman says the Solicitor General for Ireland consented to the adjournment on the part of the Government. I understand that statement is wholly erroneous. He had no power, and he had no right to do so; and it would be very unusual indeed for a Member of the Government to rise in the course of a discussion, knowing that there were a number of Motions by private Members on the Paper, and to state that the Government consented to an adjournment; and I know the hon. and gallant Gentleman is under an entirely erroneous impression as to what took place. I understand there were plenty of Members about the House to challenge the adjournment had a decision been taken.

COLONEL ALEXANDER: The Solicitor General for Ireland did not challenge the adjournment.

MR. GLADSTONE: It was no more the duty of the Solicitor General for Ireland to challenge the division than any other Member. I am very sorry that private Members who had Notices on the Paper did not enter into a combination with the hon. and gallant Gentleman, who seems to have done his duty very fully to prevent the calamity that took place.

LORD RANDOLPH CHURCHILL said, that in consequence of the reply of the right hon. Gentleman, he thought it absolutely necessary to make a few remarks. He would, therefore, move the adjournment of the House in order to obtain from the Government a fuller explanation. He was perfectly certain that, whatever might be thought by the official and the ex-official Members of the House, private Members would not tolerate the manner in which they were treated on Tuesday night, and the way in which the Prime Minister had just treated his hon. and gallant Friend. His hon. and gallant Friend had obtained the first place on the Paper for his Motion on two former occasions. On both these occasions he gave way to the Government. Then a third time, by extraordinary good fortune, he obtained the first place, whereupon the Government requited him for having given way by deliberately allowing the House to be adjourned, in order to avoid discussion of a subject that was very interesting to a large number of county Members. These Members were prepared to discuss it; but the Members of the Government ostentatiously quitted the Treasury Bench, leaving the unfortunate Solicitor General for Ireland without instructions. Who would deny that that was not a deliberately planned thing? The Government were, no doubt, very much put out at not getting the Morning Sitting, and were determined to show private Members that they were not gaining anything by this refusal. It was perfectly evident that the Government did not care one single rush for private Members so long as they got their measures through. He moved that the House do now adjourn.

MR. SPEAKER: Does any hon. Member second the Motion?

SIR H. DRUMMOND WOLFF: I will, Sir.

Motion made, and Question proposed, "That this House do now adjourn."—(*Lord Randolph Churchill.*)

SIR WILLIAM HARCOURT said, that the noble Lord had made charges against the Government which were characterized by his well-known courtesy and accuracy. The noble Lord said the Government desired to prevent the Motion of the hon. and gallant Member being discussed. All he could say was that he himself and his hon. Friend the Under Secretary (Mr. Courtney) were there all the evening, and extremely anxious to discuss that Motion. About half-past 8 o'clock, when an Irish Member made a Motion to count out the House, he came in himself to aid in making a House. He did not observe present that large number of county Members who had been described as deeply interested in the Motion. He did not observe a single Member—he was not even conscious of the presence of the noble Lord, who was so keen to protect the rights of private Members. With the assistance of several Members on the Treasury Bench he was happy to say that a quorum was found, and the House was not then counted out. He afterwards went out, like the hon. and gallant Member, for refreshment, and was sitting in the dining-room, when he heard, to his surprise, the announcement that the Speaker was going home. He inquired of a Member of the Irish Party what had happened, and was informed very good humouredly that that Party had achieved a glorious victory over the Government. That was the simple history of that diabolical conspiracy, on the part of Her Majesty's Government, against the rights of private Members, for which the noble Lord so severely but unjustly blamed them. All he could say was that the Members of the Government were extremely anxious to have the discussion brought on. There was nothing so disagreeable as to have on one's hands a speech which it was impossible to deliver. That had been his case on the three occasions in question; and he should be extremely glad were he able to think that this speech was a thing of the past, instead of a thing of the future. If private Members valued their rights so much, the Government were entitled to expect some assistance from them; and it seemed very unjust for private Members, who had gone away themselves, to come down and accuse the Government of not upholding those rights.

Mr. GORST thought it rather curious that, if the Government were so perfectly innocent, they should have now put up the Home Secretary, who was not in the House at the time of the "count out," instead of the Solicitor General for Ireland, who was. What they complained of was that the hon. and learned Gentleman, representing the Government, assented to the adjournment. The minority had no chance against the will of the Government in favour of an adjournment of the House; but what hon. Members wanted to know was whether the Solicitor General for Ireland did consent to the adjournment; if so, by whose authority and for what purpose?

*Sir William Harcourt*

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) said, that as his name had been so prominently brought forward, he might be allowed a few words of explanation, especially as the hon. and learned Gentleman the Member for Chatham (Mr. Gorst), who was not himself present to see what occurred, did not choose to take the explanation that had been accurately given in his absence by the Prime Minister. He had never assented to the adjournment. [Mr. Gorst: I never said anything of the kind.] He was speaking within the hearing and recollection of the House. He (the Solicitor General for Ireland) was, in this instance, very much in the position of the "needy knife-grinder," who exclaimed, "Story! God bless you, I have none to tell, Sir." He would state precisely what happened. He was also taking refreshment, and did not know of anything which exhausted nature so much as listening to some of the debates in that House. Hearing the bell ring, he immediately followed the Home Secretary and assisted in making a quorum, and he did not leave the House from that time except for a moment. He was not a party to this conspiracy which was alleged to have existed, and which was, in fact, as mythical as the knowledge of the hon. and learned Member for Chatham. He listened respectfully, as he always endeavoured to listen, to the arguments addressed to the House by the Members sitting below the Gangway. He was in the House when the hon. Member for Dungarvan (Mr. O'Donnell) concluded his speech, and he heard the remarks next made by the hon. and learned Member for Bridport (Mr. Warton). When the Question was put for the adjournment, he said "No;" but he did not challenge a division, for he took it for granted that the hon. and gallant Gentleman (Colonel Alexander) would have been present, or would have had somebody present to represent him, to challenge a vote. Finding, however, that no one—not even the hon. and learned Member for Bridport, whom he looked upon as the champion of the cause—challenged the division, he did not think it his duty to do so. The House was then adjourned, and he left, as the other Members did.

Question put, and *negatived.*

## SOUTH AFRICA—THE TRANSVAAL—THE BRITISH GARRISONS.

**Lord EUSTACE CECIL** asked the First Lord of the Treasury, Whether under the terms of the armistice concluded in March last there exists any power of supplying the garrisons in the Transvaal with material of war; and, if not, what steps it is proposed to take to remedy so serious an omission in view of the critical state of pending negotiations, and the probability of a native uprising?

**Mr. GLADSTONE**: In answer to the Question of the noble Lord, I have to say that Sir Evelyn Wood entered into an engagement not to send ammunition into the Transvaal; but the information in his possession, and transmitted to us, is that the garrisons in the Transvaal are amply supplied with ammunition.

## PARLIAMENT—BUSINESS OF THE HOUSE.

**Mr. GLADSTONE**: As to the course of Business to-night, the Government will offer no opposition to the adjournment of the debate on the Land Law (Ireland) Bill at such an hour as the House may think fit; but, at the same time, I should desire to call the attention of the House to the fact that the debate on the Bill has been unusually prolonged. ["No!"] Well, it has gone on an unusual length of time. I do not say it is without precedent; but if it is further adjourned Monday next will be the seventh night of its extension, and I wish to express a hope that the debate will, at any rate, close on Monday.

## ALKALI, &c. WORKS REGULATION BILL—CEMENT WORKS.

**Mr. W. FOWLER** asked the President of the Local Government Board, Whether, having regard to the fact that no means of a practicable character exist for consuming carbonic acid gas, he is prepared to insert words into Clause 8 of the Alkali, &c. Works Regulation Bill, exempting cement works from the operation of the Bill, so far as relates to the emission of this gas; and, whether he is aware that the passing of the Bill in its present form will have the effect of closing cement works; and, if he is prepared, before the Bill is proceeded with, to explain in detail in the Bill what are the other gases emitted by cement works, and what minimum emission of each of those gases the Government is prepared to allow, having regard to the fact that it is impossible wholly to prevent these emissions?

**Mr. DODSON**: I am not prepared to exempt cement works from the Bill; for although no practical means may at present exist for consuming carbonic acid gas, I have no doubt that, in many instances, arrangements are capable of being made for regulating its emission so as to render it much less objectionable than at present. As the Bill simply requires the adoption of practicable and available precautions it is impossible to suppose that it will have the effect of closing cement works, although I have no doubt it will lead to a considerable abatement of the present nuisance—a nuisance which, in the words of the Royal Commission, is substantial, and which may be mitigated, if not avoided altogether. I cannot undertake to explain in detail in the Bill what are the other gases emitted by cement works, and what is the minimum emission the Government is prepared to allow, as this would be to place these works on a different footing from many others named in the Bill, and, as in the case of the alkali works, a test could only be prescribed after the experience acquired by careful inspection.

## PARLIAMENTARY OATHS (MR. BRADLAUGH).

**Mr. NEWDEGATE** asked the First Lord of the Treasury, When it is the intention of Her Majesty's Ministers to invite the House to proceed with the Adjourned Debate on the Parliamentary Oaths? He explained that he put the Question because he found that the adjourned debate stood on the Order Book the last Order for Tuesday next.

**Mr. GLADSTONE**: I think the Question of the hon. Member is perfectly justified by the facts; but, at the same time, I hope he will agree with me that, as the subject is likely to be raised to-morrow by the Motion of my hon. Friend the Member for Carlisle, I should postpone my answer until that Motion has been disposed of.

**Sir STAFFORD NORTHCOTE**: I rise to put two Questions to you, Sir. I wish to ask you whether it is competent for a Member of this House to move that a Resolution, formally submitted to the judgment of the House, put from the Chair, adopted by a majority of the Members present and voting, and recorded on the Journals of the House repeatedly acted upon by the House, and still unrescinded, is an illegal Motion? And, secondly, Sir, I wish to ask you whether, if such a Motion is in Order, it can be regarded as a Motion entitled to precedence, bearing in mind that more than a fortnight has elapsed since the passing of the Resolution referred to; and, if so, upon what ground precedence would be given to it?

Mr. LABOUCHERE: I wish further to ask you, Sir, whether it is not competent for any hon. Member, on any day he may think fit, to raise a question of Privilege as to the arbitrary and illegal exclusion of an hon. Member duly returned by a constituency to this House before he has taken the necessary steps to bring himself within the full jurisdiction of the House?

Mr. SPEAKER: Exception has been taken by the right hon. Gentleman the Member for North Devon to the word "illegal," used in the proposed Resolution of the hon. Baronet the Member for Carlisle. I must admit that there is some force in that objection. I have understood the expression "illegal" to be intended by the hon. Baronet as indicating the rescinding of the Resolution of the 26th April, 1881; but I am bound to say that I think the hon. Baronet would have been better advised if he had proposed, according to the usual Parliamentary practice, to move that the Resolution of the House be rescinded. In regard to the other point raised by the right hon. Gentleman, I have to say that if the hon. Baronet had thought fit yesterday to make a Motion on the letter of Mr. Bradlaugh having been read, and if that Motion had been in regular form, he would have been entitled to proceed with that Motion as a question of Privilege; and I cannot think that he has forfeited his claim to have that question considered as a matter of Privilege by reason of his having, for the convenience of the House, postponed it until a future day. I think the answer I have given already sufficiently answers the Question of the hon. Member for Northampton.

Sir STAFFORD NORTHCOTE: I wish, Sir, to ask if I am right in inferring from your answer to my second Question that you regard the Motion as a question of Privilege, and not as a question of Order?

Mr. SPEAKER: I think it is a question of Privilege, and not a question of Order.

Lord RANDOLPH CHURCHILL: I do not think hon. Members have at all gathered whether the terms of the Motion are in Order, because I would submit, before you give a final decision on the subject, when several hon. Members were suspended, one after the other, before the Easter Recess, it was proposed by some other hon. Members to call in question the action of the House as illegal and arbitrary; and you ruled that any calling in question the action of the House would be a breach of Order, which you would be obliged to meet with very severe penalties. Therefore, I would like to ask you to decide clearly whether the hon. Baronet's Motion is in Order; and, if so, how it differs from the Motion which the Irish Members were anxious to make with respect to the suspension of a large number of that body, and which Motion was pronounced to be a gross breach of Order?

Mr. SPEAKER: I have already stated that the expression "illegal" in the Resolution of the hon. Baronet is open to exception, and I should advise the hon. Baronet that that expression should be withdrawn; and also upon this ground, that it bears the construction—it may bear it, although I have not put that construction upon it myself—that an expression of that kind is scarcely respectful to the House, and reflects upon a Resolution which this House has already passed.

Mr. WARTON: I wish to ask, Sir, whether, in the event of the hon. Baronet refusing to withdraw the word "illegal," you would refuse to allow the Motion to be put?

Mr. SPEAKER: I am not prepared to answer that Question until I see the Resolution in its revised form.

Sir H. DRUMMOND WOLFF: May I ask whether, to-morrow, it will be competent for any hon. Member, on the Motion of the hon. Baronet, to move that it is not a question of Privilege?

Mr. DILLWYN: I would further ask whether it will not be competent for any hon. Member to move that it is a question of Privilege with respect to the illegal exclusion of a Member from this House?

MR. SPEAKER: I must wait to see what Motion may be made before I give an opinion upon any Motion which may be taken in this matter. I am not prepared to say now, upon a hypothetical question, what course it would be right to take.

SIR H. DRUMMOND WOLFF: I should like to ask whether, when the hon. Member for Carlisle brings forward his Motion to-morrow, before he rises or after he submits his Motion, it will be competent for any Member to move as a question of Order, or as an Amendment to that Motion, that it is not a question of Privilege?

MR. NEWDEGATE: May I further ask you, Sir, whether, if the subject of the Notice given by the hon. Baronet the Member for Carlisle is brought forward in this House as a question of Privilege, it will not, and ought not, to take precedence of all other Business?

MR. SPEAKER: I have already stated that I consider that the Motion of the hon. Baronet the Member for Carlisle, when put in the proper form, would be brought forward certainly as a question of Privilege; and if an Amendment were moved to the effect that it was not a question of Privilege, that would be, in effect, to challenge the ruling of the Chair.

MR. GORST: I beg to give Notice that, when the hon. Baronet makes the Motion with which the House is not yet acquainted, if that Motion should raise substantially the same question as that on which the House has already expressed its judgment, I shall ask you, Mr. Speaker, whether it is competent for an hon. Member to bring forward, in the same Session, the same question on which it has already expressed an opinion?

## LAND LAW (IRELAND) BILL—URGENCY.

MR. THOROLD ROGERS asked the First Lord of the Treasury a Question of which he had given him private Notice, Whether, considering that the Government demanded and obtained Urgency for the passage of two Bills which they declared to be necessary for the maintenance of order in Ireland, and that it was equally necessary that the Land Law (Ireland) Bill should be passed for the permanent pacification of that country, he would propose that the discussion of that Bill should be carried on *de die in diem* until such time as it should be passed?

MR. MACARTNEY desired to know, before the right hon. Gentleman answered the Question which had just been put, whether, if those who wished to address the House should not have had an opportunity of doing so before the end of Monday's debate, the right hon. Gentleman would use his large majority to bring the debate to a conclusion that evening?

MR. PARNELL wished to know, whether it would be necessary to obtain urgency in order to carry on the debate *de die in diem.* Two-thirds of the House, or a majority of two to one, were required to obtain urgency. Could not the course which had been followed earlier that Session on the Coercion Bills be followed, and the days of private Members be given up to the discussion till the Bill was passed?

MR. GLADSTONE: With regard to the closing of the debate on Monday, it would be extremely disagreeable to my taste and desire that any Gentleman should be precluded from addressing the House in the present stage of the Bill; but it seems to me that we work under very severe conditions as to time, and under very severe conditions indeed as to public interests of a character affecting the whole of the people of Ireland; and, although I may be very sorry to press anything of a restrictive nature against Members, yet I even hope that some hon. Gentlemen will, if possible, submit to a sacrifice rather than allow us to go on, in the face of the very great necessity for this Bill, for the sake of all parties in Ireland, with a debate extending over many weeks on a stage of the Bill in which, after all, we can make no progress towards a final adjustment of its terms. Hon. Members will, I trust, continue the debate longer than usual to-night; but I am afraid I cannot recede from what I have presumed to say with regard to the closing of the debate on Monday. As to the Question put to me, I am not sure that I follow with perfect clearness the Question of the hon. Member for the City of Cork (Mr. Parnell); but I do not know that it is very important at the present moment, because I may say, in answer to him and in answer to the hon. Member behind me (Mr. Thorold Rogers), it would be more convenient to wait until the House has disposed of the second reading before considering any course which it may be the duty of the Government to propose to expedite the progress of the Bill. All I can say is that there is no recession from the pledge I have given that no Government Business will be allowed to interfere with it, except Business of absolute necessity. A matter of absolute necessity would be the disposal of the Taxing Bill in Committee; but I have no reason to believe that that will occupy any great length of time. That is the only exception. I will be able to answer the questions after the Bill has been read a second time and the Bill has arrived at the stage of Committee.

Colonel MAKINS asked whether, in view of what the right hon. Gentleman had just said, it was likely that the House would rise for Whitsuntide; and, if so, when it would rise, and for what length of time?

Mr. GLADSTONE thought it was rather soon to ask that Question. He would consider the matter.

Mr. MACFARLANE asked if it would not facilitate the division on the second reading of the Bill on Monday if a Sitting took place on Saturday?

Mr. ONSLOW asked the Prime Minister whether, if the Motion of the hon. Member for Carlisle were altered to omit the word "illegal," the Motion, as amended, would receive the support of Her Majesty's Government?

Mr. GLADSTONE said, he should follow the wise example set by the Chair, and wait until the words of the Motion were before him before giving a reply. With regard to a Saturday Sitting, he looked upon the adoption of such a course as a very strong measure, and he would rather postpone raising that question for the present. He did not think it was a satisfactory method to follow, as it was very difficult to secure the attendance of Members.

Mr. J. COWEN said, that, as far as he could learn, there were certainly 40 Members anxious to address the House on the Bill. There had been two Agricultural Commissions sitting on this Irish question, and several of the Members of those Commissions were Members of this House. They had visited Ireland, and engaged in an elaborate inquiry, and as yet not one of those hon. Members had had an opportunity of speaking. The Question he rose to put was, Whether it would not be possible for the Speaker and the Representatives of the different Parties in the House to make an informal ballot of the names of the hon. Members who wished to address the House? If such an arrangement could be come to, it would greatly contribute to the convenience of Members; and he wished to know if it would be in accordance with the Rules of the House?

Mr. SPEAKER: I am always most anxious to promote the convenience of Members of this House; but the hon. Member is imposing a task upon me which is beyond my powers.

## *ORDER OF THE DAY.*

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LAND LAW (IRELAND) BILL.—[Bill 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[SIXTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th April], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing to consider any just measure, founded upon sound principles, that will benefit tenants of land in Ireland, is of opinion that the leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic,"—(*Lord Elcho*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. SHAW said, that he should make his remarks as brief as possible, for the Bill had now been debated for seven nights; and, so far as he could judge, very little impression had been made upon its principle. Many of the speeches that had been made were directed rather to the details of the Bill, and might have been more appropriately made in Committee. When the Bill was introduced, he took the liberty of expressing a general approval of it, and as soon as he possibly could he most carefully read it; in fact, he read it twice, and he was almost ashamed to tell the House that he understood it—at least, he thought he did. But when he heard the speech of his right hon. and learned Friend the Member for Dublin University (Mr. Gibson), he must say that his mind was quite upset on the question. However, he got right again in about five minutes, and when he came to look at the Bill again he did not feel at all disturbed. To his mind that Bill, dealing with a great and most complicated subject, affecting interests so varied and so important, was a great Bill, and he believed as easily understood as any Bill that had ever been introduced on a great subject. He should occupy the House as briefly as possible in suggesting a few points in which he thought the Bill might be improved. Of course, in proposing Amendments, he recognized the necessity of keeping strictly to the principle of the Bill, for it would be most unreasonable to seek to alter its entire structure or change its principle. Therefore, any suggestion he might make to amend or improve the Bill would, he believed, be entirely within its principle, and would tend to the simplification and better working of the measure. The first part of the Bill contained the rules for regulating the relationship between the landlord and tenant; and as the most important question in that part of the Bill was the question of rent, he should first of all refer to that. His right hon. and learned Friend (Mr. Gibson) was very much puzzled indeed, as he said, as to this part; but he (Mr. Shaw) happened one evening to go to Belfast, and he met there a conference of hard-headed Northerners, and underwent two hours' cross-examination on the clauses of the Bill; and he thought he was able to understand those clauses dealing with a fair rent. He thought also that the tenant farmers of the North understood them too, though he did not say they entirely approved of them. He did not forget that it was one of the most intricate and difficult parts of the subject; and, in his mind, it would be quite impossible to arrive at any scientific way of adjusting rent between landlord and tenant in Ireland. In that opinion Judge Longfield, one of the most experienced men in Ireland on this question, and other eminent men concurred. Indeed, the former expressed his opinion, before the Commission, that there was no use in laying down rules for the regulation of rent between landlord and tenant; and the only way in which it could be properly done was by getting competent valuators, and letting them go to the holdings and exercise their own common sense on the subject. The clause dealing with fair rents was one which he thought was easily enough understood. It was explained very fully by his right hon. and learned Friend the Attorney General for Ireland (Mr. Law). The valuator should go to the holding and take the holding as it stood. Of course, if they adopted an economic mode of fixing rent, they must consider several circumstances; they must consider the average of the prices, say, for seven years, of the crops principally grown on the holding; they must consider the position and circumstances of the holding; and they must consider the cost of production. But there was another element which it was absolutely necessary to consider in fixing a fair rent, and that was the natural quality of the soil. He maintained that it would absolutely be impossible for a valuator going to 99 holdings out of 100 to see what was the natural quality of the soil. It would, therefore, be very hard for any valuator to fix the rent by the economic method, or to arrive at a fair rent by any other mode than that suggested. He must have regard to the holding, and give expression to the interest that the tenant had in Ulster and in other parts of Ireland under the Act of 1870. He would ask the right hon. and learned Gentleman the Member for the University of Dublin, would he suggest that a valuator going on his land was not to regard the interest of the tenant? Was he not bound, as the very first thing, and as a matter of duty, to find out what was the interest the tenant had in his holding? Of course, he was not to calculate that in such a way as to absorb the interest of the landlord, or the rent of the landlord. No valuator that ever went, or was ever likely to go on land in Ireland, would adopt such a course. In fact, if such a course as that were adopted, in many parts of Ireland it would make the rent nothing at all. Any Judge that went on a holding, and commenced to fix rent in that way, the very next thing that ought to be done with that man would be to bring him into a lunatic asylum. He believed that that was not the meaning of the clause, or the intention of the Government in introducing the clause, that the tenant's interest should be calculated in that way; but he believed it would be possible to amend the wording of the clause so as to remove all possibility of misunderstanding. The Government had only one object in dealing with the subject, and that was to do right between class and class, and to do right between man and man. It would not be very good policy for any Government or any Party in that House to act on the principle of what they considered would benefit their own class. If they did that, they would find that it would injure their own class in the long run. It was very curious that before he left Cork for Belfast he had a long conference on this clause with a landlord, and that landlord said if this clause were allowed to stand in the Bill, it would destroy the rent of the landlord; and when he went to Belfast, some of the tenants said if this clause were allowed to stand in the Bill it would destroy their tenant right; but the tenants of the North of Ireland especially did not like to have any revaluation. They had made the entire improvement on their farms, and they did not like the idea of a valuator going among them every 15 years and putting on a value on the improvements they had made themselves. Therefore, the tenants in the North of Ireland did not wish that the clause should stand as it was, but that there should be some words introduced expressing the meaning of the Bill that their improvements, their work done, or their outlay made on the land, should in no way be valued against them in fixing the rent. He believed such words could be introduced into the Bill. There was another question which had cropped up, and which he was quite sure had frightened the landlords very much, and that was as to whether this clause would tend to reduction of rent generally in Ireland. He must say that on a great many well-managed estates in Ireland there was nothing like exorbitant rents; but he believed that unreasonable rises of rent were not confined to the smaller estates. Owners that were largely encumbered, whether purchasers in the Landed Estates Court or hereditary owners, had a wonderful tendency to increase their rents, especially in the West and South of Ireland. ["Hear, hear!"] Hon. Gentlemen might say that rent was but a small matter. It was anything but a small matter. He knew himself, and they had statements before the Commission of this kind—that within 30 years the rent on an estate had been raised from £500 a-year to £1,500 a-year. The meaning of that was that every man on that estate, who, at the beginning, 30 years ago, paid £2, was paying £6 now. Was not that a serious thing for a poor man? Did it not mean the deprivation of the comforts, and, in some cases, of the very necessaries of life? Not long ago he had met a man whose position was slightly worse than it was 30 years ago. The man accounted for the fact by saying that on his father's death his rent was increased by £10 a-year. This addition had prevented him from ever knowing prosperity. There was another question he wished to refer to in passing, and that was the question of arrears. It was a very important question, and one that had not been dealt with in the Bill. He confessed, at once, that it was a most difficult question, and most important not only for the tenants, but also for the landlords; because they could not hide from themselves that, in the greater part of Ireland, arrears to a very large extent existed. The people in those districts were poor, and the question arose, What was to be done with them? In the question of arrears, he eliminated altogether the numerous cases where people having the means had not paid their rents, but, taking advantage of the times, had kept their money in their pockets. He would also eliminate those who were not so very knowing, but who were influenced by a sentiment—and, he believed, a very natural sentiment—of loyalty to their class, and who said to themselves that they were fighting a very great fight—that they could not break the rules, but that they must work loyally with their class; and, at the end, he would take away the cases of poor people that no amount of indulgence or help that that House could give them could possibly enable them to keep their holdings, so burdened were they with debts and arrears; but there were within that circle a very large number of cases—such cases came before the Commission and himself privately—in the South and West of Ireland. There, during bad years, poor people who had been compelled gradually to lessen their stock and to retrench their expenses of living, who had endeavoured to pay their way honestly, and who now were as honestly in debt to their landlords as any people were, he believed those were the class that ought to be relieved out of their difficulty. Many of them had been paying exorbitant rents, and would have struggled to pay their rents, but for the bad times. He thought the House ought to pass a Resolution asking the Government to instruct the County Court Judges in every case of that kind to postpone ejectments until such a time as the Court about to be constituted under the Bill could look into the case and afford some relief. He did not know whether the House would give such instructions to the County Court Judges; but he knew that it was not an unusual thing for County Court Judges to postpone payment of ordinary debts. It might be said that it was against the laws of political economy to allow County Court Judges, or any Court, to interfere with debt due; but they did it every day. If an exorbitant rate of interest was charged by a private money lender, or butter merchant, nothing was more common than for a County Court Judge to say it was quite unreasonable, and that he would not allow it. There was, therefore, no difficulty in their way in saying that they would not allow payment of the rent that was exorbitant or excessive. There were one or two other points in the Bill which he thought might be judiciously amended. He knew that there had not been, in the entire evidence taken by the Commission, any difference of opinion almost as to the incompetency of a County Court Judge, sitting alone, to decide on questions of this kind. A suggestion had been made which he thought might well be followed. It was that two Assistant Commissioners should be associated with the County Court Judges as members of the Court when questions under the Act were to be decided. He was not at all in favour of abolishing the Court as a Court of Record. He would retain as Chairman the Judge who was accustomed to hear and weigh evidence; but he thought it would be essential that questions of valuation should not be left entirely to a lawyer, who had no experience whatever of it. There was another question that was of very great importance, which was the question of leaseholders. It had been recommended by the Commission that leases made since 1870, where there was any proof of their having been forced on the tenant, should be re-opened, and with that suggestion he entirely concurred. There was this difference, of course, that if they opened leases in one direction they must open them in the other—if they allowed the tenant to come in and say he claimed the leases should be opened, he did not see how they could deny the landlord the same right. So the question arose, whether on the whole it would not be worse, rather than better, for the tenant if they opened leases. He thought himself there were very few cases where leases containing unreasonable conditions had been forced on tenants since 1870; but he knew there were quite enough to make it worthy the consideration of the House. If they looked into it, they would find it would not be any such great disruption of the question of leases as most people imagined. Therefore, when there was this grievance pressing on the people, he thought it would not be reasonable to ask that it should have some consideration. There was another question of leases. So far as he understood the proposals contained in the Bill, the present leaseholders would not, as a matter of course, become present tenants at the expiration of their leases. He supposed that to mean that the lease must run out, and that the tenant at the end of the lease must become a "future tenant." Now, he thought that, in many cases, that would not be unreasonable—that was, on large estates, where the tenants held the position very much of English and Scotch tenants, where they had taken their holdings with all the machinery of the farm ready for them—where they had taken their holdings, being mostly intelligent men, on conditions which they understood and agreed to. In their cases he did not see why at the end of their term they should not surrender their holdings, as was usual in England, if the landlord required them to do so. A lease in Ireland meant almost nothing, in 99 cases out of 100, but a fixing of the rent for 31 years; and no landlord expected, and no tenant ever thought, that the condition in the lease providing that at the end of the lease the holding should be given up to the landlord would ever be enforced. The holding was as much a perpetual holding as any other with a perpetual right of renewal. Now, his impression was that it would be a very unjust thing to tenants on many estates, where they had taken leases as a matter of form, that they should be excluded from the very best part of this Bill, because they were accommodating enough to take a lease, probably because that lease put £4 or £5 in the pocket of an attorney or agent, or because they took a lease to oblige the landlord; while their neighbours on the same estate, who had refused to take leases—and he had known cases of this kind—were to come in for all the advantages of the Bill. He thought this was a point which was well worthy the attention of the Government. There were many other points of a minor character in the sub-clauses of the Bill; but he did not think it would be at all his part to occupy the time of the House with them now. They would come up more naturally in Committee, when the Bill had reached that stage. Now, as to the purchase clauses. They were by many looked on as the most important part of the Bill; and he looked on them himself as clauses of exceeding importance, and all the more necessary to be simple and easily worked. The Commissioners that were about to be appointed would have immense power—that was, if they were allowed really to work the Bill. They all knew that Bills and Acts of Parliament were very good things, provided they were carried out properly; and he believed this Act, if the Commissioners had not discretion and power to carry out its provisions, would be just as ineffectual as many other Acts of Parliament were in Ireland. Some landlords, he believed, thought they ought to have the option of selling their estates, in case they did not come under the tenancy clauses of the Bill. He did not at all agree with that. He believed that would put the landlords in a position they had no right to be in, and put the Government in a position they ought not to consent to be placed in. What would be the effect of it? They would have at once a rush of all the landlords of Ireland on the Government. The Government would be bound to buy, independently of whether the tenants were willing to buy or not, and this would be the consequence—that over, perhaps, half of Ireland they would have for the next 30, 40, or 50 years the Government of the country in the position of landlord to all the tenants in the country. He did not think they could have a more objectionable state of things. Now, in the Bill as it stood there was no difficulty, he thought, for any landlord who wished to effect a sale, either to communicate with the tenant, or to negotiate through the Commissioners; for he presumed that the landlords would be authorized through the Commissioners or the sub-Commissioners to negotiate with the tenants or leaseholders. It would be essential that the Commissioners and Assistant Commissioners should not be men merely sitting in Dublin, but men knowing the country, and men in whom the landlords as well as the tenants would have some confidence. Then, when the landlord was willing to sell, they would be able to negotiate between the parties as to the terms of sale. In that way he believed that every landlord in Ireland who wished to sell, if he was willing to sell at a fair price, would be able to sell under the Bill; but there was this defect that he thought the Government would do well to look at—the Commissioners would have power to purchase and power to sell, but no power to reclaim any land on the estate. They might, perhaps, in Munster or Connaught buy a large estate, where half or two-thirds of the tenants were anxious to purchase, and there might be left in their hands an immense tract of land, with tenants scattered over it, on which an outlay of £2,000 or £3,000 would be of immense benefit to the tenants; in fact, by making some outlay upon it, they brought it into a position when tenants would be most anxious to get it; whereas, if they left it where it was, in a half reclaimed state, they would find it very hard indeed to get tenants to purchase. He thought they ought to give the Commissioners some powers in estates of this kind to lay out money on improvements and reclamation. In fact, the clauses referring to reclamation were to his mind very defective. He did not believe in Companies being empowered to carry out these reclamations. They were very backward in Ireland in the way of commercial enterprize. They were very slow in forming Companies; and if this was carried out at all, they would have Companies consisting of English or Scotch jobbers going over to work out some scheme of their own. At all events, there would be a great deal of public money put into it in one way or another, and very little ever got out of it. He believed the reclamation of waste lands should be intrusted to the Commissioners as part of their duty, and he believed it would be best carried out if it was carried out by the tenants themselves. He had seen in the South, as well as in the North of Ireland, wonderful reclamations which had been carried out by tenants in the last 20 or 30 years—tracts of land—mountain tracts, bogs that you could not walk over—and on that land crops of wheat and barley were growing now, and this was all done by the tenants themselves. There would be nothing easier. He did not for a moment deny that there might be estates in Ireland where it might be possible to effect large reclamations, and upon which this measure might be made useful for laying down a large scheme of reclamations; but he believed the best reclamation would be that which the tenant would be able to effect, where he was working on a spot he could make his own by the employment of his own energy. The clauses affecting emigration he did not mean to enlarge upon in detail; but he did wish to say he did not see the slightest harm in their passing in the Bill, if the proposal was to be confined to grants which should enable whole families, and not individual members of them, to emigrate and recommence life in a new world. He happened to be a member of a Committee for the relief of the distress in Ireland, and they set apart a small sum to be distributed by the members of the Committee in helping emigration. They did not, as a rule, give a single 6*d.* of that money to boys or girls. They did, he believed, in every case, and at least in every one that went through his hands, give help to families to go out altogether to America. He had known some most interesting cases, where a poor woman and her children were left at home with relations, while the father went—and sometimes the father and mother went—across the Atlantic and left their children in Ireland; their hearts in Ireland and their energies and work in America. He believed no Government, even if they meant it—which he did not think any Government ever would—could use these clauses in a way which would be detrimental to the people of Ireland. ["Oh, oh!"] There was the parish priest, whom the man would consult, as a matter of course, before he took a single step in the matter. There was public opinion, there was the Press, and there was that House; and did any man in his senses think that any extensive system of emigration could be carried on in Ireland against the interests of the people? ["Yes!" *and* "Oh, oh!"] At all events, he was not afraid to say what he thought on the subject; and he spoke, not from knowledge gathered on platforms, but from the knowledge he had gathered from the people themselves in Castlebar, Roscommon, Sligo, and all around the coast. He not only met hundreds of the people in the rooms when the Committee examined them, but he spent every hour he could spare in going among the people. He did not wish them to emigrate. He believed every man in Ireland, and a great many more, would have work very soon in Ireland. He did not believe the clauses would be very much used, no matter how they were framed; but he believed this—there would be many people in Ireland who would be glad to go out of the country, if they saw their way to go in comfort, and settle down in America. How was it the Scotchman was everywhere? The Scotchman did not bind himself down on a rock or a bog; he never was happy except when he got away from his own country. Was he the less a Scotchman? Not a bit of it. There were fine examples of emigration from Ireland and of very successful emigration, at that present time, sitting in that House. But he believed there was plenty of land in Ireland, and that migrating the people, reclaiming the land, and, as he hoped most sincerely, stirring up industries in the country, would give employment, and ample employment, to everyone in the country. But if families wished to emigrate, he would much rather that, instead of spending their own few pounds on taking money from the poor rates, they should take from the Chancellor of the Exchequer in the manner proposed in this Bill. As far as the money clauses of the Bill were concerned, he hoped the Government would either propose or accept Amendments which would have the effect of making them more elastic. The other night the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) suggested a plan, which, of course, he (Mr. Shaw) could not object to, as he happened to suggest it himself when acting as Royal Commissioner, and that was that the money necessary for assisting the tenant to buy his holding should be raised as a separate fund upon debentures, the Church Surplus, or some other fund, being taken as a basis, as security. He, however, very much preferred the plan proposed by the Bill; because it must be borne in mind they could not get any separate Commissioners to raise money by debenture, and get it in the open market within 1 per cent of the rate at which the Government could borrow. However good the security they offered might be, the Commissioners could not borrow a sufficient amount in Ireland to enable them to carry into operation with effect the great work proposed to be effected by the purchasing clauses of the Bill. As a matter of fact, they had barely enough money to carry on the business of the country, and if the business grew very much without the wealth increasing proportionately, they would have to get money elsewhere. They would have to come to England for money, and no man in his senses would suppose that any Dublin Commissioners could borrow money in the London market on such security as they could offer, except at a high rate of interest—that was to say, under 4 per cent, unless they could give Government security. But it was in the interest of the poor man that the money should be got as cheaply as possible; and, therefore, Government security should be given for the money borrowed. Of course, if they adopted the plan in the Bill, and if they found this fund at any time to be increasing to an enormous extent, so as to derange the monetary affairs of the country, it would always be open to any Chancellor of the Exchequer to introduce a Bill to separate this fund from the general funds of the nation. The right hon. Gentleman the Member for Westminster had laid great stress upon the danger to which future Governments would be exposed if the fund were to be mixed up with those of the nation. The right hon. Gentleman said that a Chancellor of the Exchequer would find himself in a position of great difficulty if the Irish Members were to come to him and say—"If you do not do so and so, we will not support you; but if you do so and so, we will support you." The right hon. Gentleman seemed to speak from experience. He (Mr. Shaw) knew this—that when the right hon. Gentleman was at the Treasury, he happened to go there concerning some reduction in interest; and he never met a man who could say "No" with better grace than the right hon. Gentleman. Some people said "No," and it was very much like a slap in the face; but the right hon. Gentleman bowed them out, and wished he could relieve them, but he really could not. Did the right hon. Gentleman mean to say there were any Irish Members who, when he was at the Treasury, offered any corrupt compromise with him? [Mr. W. H. SMITH: No, no!] No; nothing of the kind ever occurred. The right hon. Gentleman would be the first man to spurn such overtures; and if such audacious proposals were made to him he would lose much of his sweetness of manner and return a very stern answer to the suggestion. The thing was perfectly absurd. He (Mr. Shaw) believed that payments required for any source made under the Bill would be made by the poor people of Ireland as honestly as payments were made now when they owed money. ["Oh, oh!"] Yes, as honestly; for he could say, from his own experience, there were no people in the world honester than the Irish peasantry. There were no people as thrifty and cheerful; and when they owed a debt as anxious to discharge it. Of course, at the present time they were agitated, and they were told that certain things were not debts; but let them really believe they owed a debt, and they were most anxious to meet it. He did not see they could improve the Bill very much in that way. They would be glad to have all the money the Exchequer could give them, and he thought it was very likely it would be used with great advantage. Now, how was the Bill met? They had two Amendments on the Paper. The first one—the Amendment by the noble Lord the Member for Haddingtonshire (Lord Elcho)—was one of a stock character. It could be put down against any Bill ever brought in; for it declared that the House was anxious to do the best it could, but the Bill was economically unsound, unjust, and impolitic. There was nothing original, nothing that touched the Bill specially, nothing but what induced him to believe that, subject to a slight verbal alteration, the Amendment could not as well have been set down against the Bankruptcy Bill as against this Bill. Then, again, last week he read an essay by a Nobleman who had made some sacrifices for his opinions, and who therefore deserved respect. The Nobleman in question, the Duke of Argyll, had said that the bright spots and comfortable homesteads of Ireland had been brought about by the landlords of the country. He (Mr. Shaw) could well understand anyone, after reading the essay, saying—"Oh, the gentleman who wrote these words knows nothing of the subject. He knows it theoretically, and he frames a scheme of Land Reform for Ireland, just as an engineer in Westminster would plan a railway from Cork to Bantry, without even taking a measurement, or going over the land." No one who could write these sentences could really know anything about the matter. Who had made the bright spots of which the Duke of Argyll wrote? Who had turned the country from North to South and East to West into a smiling garden in many places? Not the owner, but the tenant farmer. He (Mr. Shaw) would take them to the estates of Lord Downshire, the Duke of Abercorn, Lord Portsmouth, and the Duke of Devonshire, and ask them whether the outlay of the tenants on those estates did not amount to the value of the landlord's interest in the land. In fact, if they came to some bright spot, to some comfortable homestead, they found that in all cases, except those of landlords whom they could count on their finger ends, the spot had been made bright, and the homestead had been made comfortable, by the tenant farmers of Ireland. The landlords themselves had the opinion at one time that they had done an immense deal in Ireland. At all events, a Committee of landlords came before the Commission in Dublin, and they gave them a tabulated statement of the outlay made during the last 40 years. That outlay amounted to something like £3,500,000—a great deal of money; but he (Mr. Shaw) asked them —"How much of that was borrowed from the Government, and for which the tenants paid interest?" One of the gentlemen very honestly said—"The greater part." It struck him (Mr. Shaw) that the money was laid out, not by the landlords, but by the tenants; but, after all, what did it amount to? Something like £90,000 a-year for 40 years. Even if it were all landlords' money, it would be a mere nothing compared with the sums that English and Scotch landlords spend in connection with their land. An attempt had been made to frighten the House by saying the Bill laid down principles which must come into use in England and Scotland. The moment the land in England and Scotland was reduced to the same condition as that of Ireland, the sound and just provisions of the Bill would come to the people of England and Scotland as they had come—late enough—to Ireland; but what had been the position of English and Scotch landlords? He believed that if they took the rental of England, it would be found that about half of that rental represented the outlay of the landlord on the land itself, for which he got a very small return indeed in interest. They had heard a good deal of the unfortunate Irish tenant, because of his land hunger; but there was never such land hunger in Ireland as was shown by the rich men in England. The moment men in England got hold of money, hunger for land took possession of them as a disease, and even for 1 or 2 per cent they put their money in land. The Irish tenant put his money in land; but in his case he got a foundation in the earth; he got a home for himself and family. The English capitalist had invested in land for the sake of influence. If the land in Ireland was managed on the same system as that of England by the landlords, instead of this miserable sum of £3,500,000, £200,000,000 would have been expended on the land. If the landlords were to come to the tenants of Ireland and ask to settle their claims, he believed the interest of the tenants — he did not mean any sentimental interest — would be estimated at £120,000,000. He did not speak without having looked into this matter carefully, and the amount would not be less than £120,000,000. It was said—"You are in this Bill transferring the property of one man to another." They were not doing anything of the kind. For generations and centuries they had allowed the property to grow up in Ireland in the manner it had, and they had allowed the poor man to put his energy and money into the property; and the result of that labour they had allowed the landlord by the law, but against all principle of equity, to appropriate to his own benefit. The consequence was that they must now lay down principles which must define the relation of the labourer to the land, for the Bill would merely give the tenant what was justly his own. He did not know how the Bill would be dealt with in Committee; but he supposed and hoped it would be improved, and that, after undergoing that process, it would proceed to "another place," to be amended there. But there were adverse Amendments; and it might also come down, after having passed through that "other place," in a form which this House could not accept at the end of the Session. He wished to ask the Irish Members who sat in that House what they thought they would do if the Bill, through the action of Party, or through a desire to show off a new Leadership, or to damage the present Government, or to annoy the Prime Minister, or for any other reason, forgetting the interests of the country, the Bill was so damaged that the Irish Members could not accept it? Why should not the Conservatives try and make that a good and workable Bill? The landlords were involved in the question, and there was no desire to hurt or injure them; and when the Bill went into Committee he was sure the majority of the Irish Members would be found voting on the side of justice. Some landlords thought they would be hurt by the Bill. He did not think they would be. He had spoken on the subject of the Bill to a landlord who was at that moment sitting under the Gallery. That landlord had a large estate which he derived from his ancestors. He asked him whether he thought the Bill would hurt him? The answer was "No." He asked whether he was going to leave the country when the Bill passed. In reply, the landlord said he was not going to do so, but would make improvements on his property. The Whig landlords of Ireland had more fear of the Bill than the Conservative landlords; and he (Mr. Shaw) had heard more absurd nonsense talked about the Bill by Whig landlords than by Conservatives. The Whigs knew just enough of political economy to confuse them; whilst the Conservatives would not be troubled with such nonsense as political economy; and he thought they would give less opposition to the Bill than those whom he termed the Whig landlords would. Many of the Conservative landlords lived in Ireland, and were good landlords; and when the present agitation subsided they would be as good friends to the tenants as they were before. But if the Bill did not come down to the House of Commons from the House of Lords, the country would have to respond to the challenge made to them by the hereditary sense-carriers. Would the House of Commons be content to let another 12 months pass without settling the question? Would the result of all this be that the Irish Members would be sent back to Ireland to take the matter into their own hands to settle. [" Hear, hear ! "] He did not mean in the sense that some people had been settling it. He thought that if the landlords and tenants came together and compared notes, in nine-tenths of Ireland there would be no question at all. But they had not come together. The system of land agency in Ireland was altogether different from that in England, for the agents of property in Ireland were men who got so much per cent on the rent paid by the tenants; and, as a result of that system, landlords of Ireland knew very little about their tenants, or the state of their farm or house. With regard to the question of a collision between the two Houses of Parliament on this subject, his opinion was that it would not be for the interest of the country, or of any reform of this kind, that it should be wrung from any particular class by force. But it would be a miserable thing to have it go forth to the community that that class had no considerations but of selfishness and self-interest. If any powerful class placed its foundation on such motives so surely was the doom of that class near. He hoped the matter would not be looked at from a Party point of view, but from the point of view of a great and serious desire to settle this urgent Irish question. They needed a great deal in Ireland; they needed industries for the people; and they needed that their powers and energies should not be dissipated in anything but the work of the country, and in the progress of the country. He believed it would not be the fault of any Irish Members of that House if that was not the result; and he hoped Party consideration would be laid on one side, and that this reform would not be shelved through Parties striking blows not for justice, but for self-interest.

MR. MACNAGHTEN: Sir, I envy and admire the hon. Member for Cork County (Mr. Shaw). I envy his power of understanding this Bill. I admire the complacency with which he regards it. I am not so fortunate—I cannot say I understand the Bill, and I do not altogether like it; and then I do not like the Amendments at all. I am unable to vote either for the Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho), or for the Amendment of the noble Lord the Member for North Leicestershire (Lord John Manners). The two Amendments differ in tone and in language. In substance and in reality they are much the same. They both mean, if they mean anything, that the Bill is to be shelved or put by for a time. They will be so understood in Ireland throughout the length and breadth of the land. Sir, the question cannot be dealt with in that manner. It will be nothing less than a national calamity if the House does not put aside all Party feeling and do its best to settle the question as speedily as possible. I cannot, therefore, support the Amendment of the noble Lord the Member for Haddingtonshire, or any Amendment that may tend, or even have the appearance of tending, to delay the settlement of the question. But, I am sorry to say, that does not entirely relieve me from difficulty—for I am not much enamoured of the Bill, regarding it in relation to its probable effect on that part of Ireland with which I am connected. Into the wider and more general question as to its effect on the rest of Ireland and the United Kingdom I do not propose to enter. There are many Members in the House, and on both sides of the House, who are much more competent to deal with that question than I am. If the House will bear with me for a short time, I shall have quite enough to do in dealing with Ulster, speaking mainly from my own personal knowledge of the county of Antrim and the relations which exist there between landlord and tenant. Sir, as I said, I am disappointed with this Bill. I had hoped for a measure plain, simple, and intelligible. I find a Bill complex and complicated, intricate and perplexing beyond all precedent—beyond the precedent of 1870—confused and involved in its arrangement, ambiguous and obscure in its language, silent where it ought to have spoken, speaking not infrequently where silence would have been better and wiser—in some places unfair to the tenant, in others unjust to the landlord. I had hoped for a tribunal that would have been cheap, expeditious, and accessible to all, and one that would have commanded universal respect. I find a tribunal which, in my humble judgment, will be utterly unable to grapple with the multifarious business and diverse interests that will come under its ken—that will have to appoint deputies and substitutes, and journeymen liable to be dismissed at a moment's notice, with no fixity of tenure for themselves, and no security in their occupation; and, above all, a tribunal that leaves untouched, as the Court of First Instance, a Court which has been discredited throughout Ireland, a Court that has not conciliated the good-will or secured the esteem of the people at large, or of any class or party in Ireland. But, for all that, I am constrained to vote for the second reading of the Bill. I know that there is a pressing necessity, and I believe that this Bill, with all its imperfections, is an honest attempt to deal with that necessity. And, above all, I rely on the assurance of the Prime Minister that the Government will welcome any Amendment, from whatever quarter, that may tend to improve the Bill. I quite admit that, in dealing with this question, the Government have had great difficulties to encounter. At the same time, it must be remembered that they have some advantages. They have this advantage, that everybody agrees that things cannot remain as they are. They have also the advantage that there is a very general feeling, at least in the North of Ireland, that any measure, to be satisfactory and acceptable, must be based on the lines of what is popularly called the "three F's." Sir, I am not afraid of the "three F's." Fair rents everybody desires, or professes to desire. Free sale, sale absolutely free and unrestricted, has long been the rule in Antrim. And as to fixity of tenure, we all desire that the utmost security should be enjoyed by the occupying tenants that may be consistent with leaving the landlords some interest in their property and some possibility and power of improving it, and that does not reduce them to the level of mere rent-chargers—an idle burden of the ground. Now, Sir, with the permission of the House, I will state shortly what are the demands of the tenants in my part of Ireland—demands which are admitted by the landlords to be fair and reasonable, and which have been conceded without legislation, but which both parties desire to have secured by legislation. A year ago, the demands of the tenants were these. First, they demanded the abolition of all office rules. The House knows what office rules are. They are rules of particular estates limiting the price of the tenant right to so much per acre or so many years' purchase. The next demand was that tenant right at the end of a lease should be recognized. That is dealt with by this Bill rather clumsily, and not very generously; but yet, I think, it is sufficiently secured. In the third place, as the House knows, at present it rests with the tenant to prove the existence of the Ulster Custom. In some cases, that has led to inconvenience and great expense, and it was thought that the burden of proof should be shifted, and that, considering the almost universality of the custom, it should rest with the landlord, if he chose to dispute its existence, to prove that it did not exist, but that *primâ facie* it should be taken to exist throughout Ulster. A year ago, those were, I believe, all the demands which the tenants in my part of Ireland made. A year ago, there was great diversity of opinion as to the expediency of appointing a tribunal to regulate rents. As a rule, the landlords were more in favour of the proposal than the tenants. The tenants, living, for the most part, on fairly-rented estates, seemed to think that if such a tribunal were appointed, some part of the odium or unpopularity which results from an increase of rents would be shifted from the shoulders of the landlord to the shoulders of the Government or the Government tribunal. However, in the last year, opinions have advanced. Some few cases of hardship, mostly of old date, have been published and re-published, and repeated until a general feeling of uneasiness has been created. Now, everybody is agreed that there ought to be a tribunal to regulate rents, and everybody is agreed that that tribunal ought not to be the Civil Bill Court. I will now consider how far the present Bill satisfies the demands of the Ulster tenants. I am not going into minute details. I will only deal with the questions of free sale, fair rents, and the constitution of the proposed tribunal, and the question whether the landlord ought to be allowed to set the tribunal in motion. The question as to the burden of proof is not touched by the Bill. In pursuing this inquiry I am at some disadvantage, for I certainly am not in the position of my hon. Friend opposite (Mr. Shaw), who thoroughly understands the Bill. I frankly confess that there is much in the Bill, especially in relation to the position of the Ulster tenant, which I do not understand at all. We have done our best, on this side of the House, to understand the Bill. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) sought to engage Gentlemen who sit on the Treasury Bench in a sort of competitive examination. Three or four of those Gentlemen have responded. But I put it to the House whether any one of them has passed even a qualifying examination? The Prime Minister told us the other evening that the purely legal aspects of the measure would be explained by one of his Law Officers. By a fortunate accident or divine chance, he did not name the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) as the person who would give that explanation. Still, when my right hon. and learned Friend rose to explain the Bill, I thought some of the fog and mystery would be cleared away, and that we would learn something; but to my dismay and consternation, and, I think, also to the dismay and consternation of the House, the right hon. and learned Gentleman said he must decline to let himself be entrapped into any discussion in regard to the particular expressions in the Bill. Why, the particular expressions in the Bill are the very things that we want to have explained. How can we understand the Bill unless we understand the particular expressions in it? I am thoroughly puzzled by the Bill. I would gladly resort to any expedient—I would go to any quarter to obtain information. The House knows that in one of those weekly publications which elevate the tone of society, a series of prize puzzles appears, which, I think, are called "Hard Cases." A gentleman, usually designated by the first letter in the alphabet, is supposed to be in a position of some difficulty, as either landlord or tenant may be under this Bill, and he is supposed to have three or four courses open to him, as the landlord and the tenant under this Bill may have. And the question proposed for solution is, what should "A" do? Now, I should like to see the knotty points of the Bill broken up into hard cases. I do not know whether the hon. Member for Northampton (Mr. Labouchere) would afford any facilities to the Government. If the competition were limited to Members of this House it would be very interesting; and the Government, who seem to be at a great loss for answers, might adopt the answers that pleased the generality of the House. Of course, they would bar obvious answers. No one would be allowed to tell the landlord that he must grin and bear it, or to tell the tenant that he must consult his attorney. That would occur to everybody; and I am bound to say that in some of the positions which I have considered there appears to be no other answer. But, seriously, can nothing be done to make the Bill simple? Perhaps the hon. Member for Cork County (Mr. Shaw), who thoroughly understands the Bill, will assist the Government. I am pleading for the Ulster tenants. Before the Act of 1870 their position was perfectly clear. The rules which governed Ulster tenant right were well known to everybody. Then came the Act of 1870, which confused everything. That is not my opinion only. I will appeal to a work which ought to have some authority with hon. Gentlemen opposite. I refer to the book of Professor Richey, of which the Prime Minister has spoken in terms highly complimentary, though somewhat singularly qualified. The right hon. Gentleman said the book was "a very able, although a concise work." [*Laughter.*] As if conspicuous ability must needs be exuberant and diffuse. What Professor Richey said was—

> "The few and simple rules in which the Ulster Custom may be expressed contrast favourably with the bewildering sections, subsections, provisions, and exceptions in which the Act of the 33rd and 34th of Vic. chap. 46, is hopelessly entangled."

Why, you might have thought Professor Richey was speaking of the present Bill. What will he say when he comes to discuss this measure as bearing on the position of the Ulster tenant? There are many reasons why the Bill should be plain and simple. In the first place, it is to be the charter of the tenants. Surely they ought to understand their own charter. Again, it must be borne in mind that it will be utterly impossible to obtain a binding legal decision on any clause of the Bill. If, a year hence, my right hon. and learned Friend the Attorney General for Ireland should be asked his opinion on any clause, no doubt he will give it with great courage; but if he retains the caution which compelled him to decline to be entrapped, he will add that it must be borne in mind that, after all, the Act means what the Land Commission, or any one or two of its members may happen to think for the time being. That Commission is to have extraordinary power—power as absolute as that of the ruler of Olympus, and a power which Jupiter himself did not claim—that of reversing its own decrees over and over again. I find from the Bill that the Land Commissioners may review, rescind, or vary any order or decision previously made by them, or any of them. The proceedings before them are not to be restrained by injunction or removed by *certiorari*. No doubt, the Commissioners may refer any matter to the Land Judges of the Chancery Division of the High Court; but they are not bound to adopt or follow the decision of the Chancery Judges. I do not, in the least degree, blame the draftsman of this Bill. That gentleman, no doubt, as the right hon. and learned Gentleman the Attorney General for Ireland has said, may be a very skilful draftsman; but he must have lost all interest in his work long before he came to the 23rd edition. How could he possibly divine that that edition would have more vitality than those which went before it, and which fell still-born or perished among the discussions—I do not say the dissensions—of the Cabinet? Passing on to the consideration of free sale, and premising that I do not altogether understand that part of the Bill, I wish to ask how far the Bill carries out those points which it seems to me it ought to have secured in the interest of the Ulster tenant? Why, the Bill does not provide for the abolition of office rules at all. It merely provides an alternative mode of sale, which will not, I think, be largely adopted in Ulster; and then it goes on to say that a tenant shall not sell partly under the custom and partly under the Act. That, I suppose, means that the vendor must make his election, and sell either under the custom or under the Act. This provision seems designed to put an Ulster tenant in a position very like that of the ignoble animal between two bundles of hay. Now, it seems to me that a very nice question arises on this part of the Bill. The House knows that the right of sale is of the very essence of the Ulster Custom. I wish to be informed whether, if an Ulster tenant renounces the Ulster Custom, and sells under the Act, the holding will afterwards be subject to the custom or not? That is a most important question, and it ought to be put beyond all possibility of doubt. Then I come to the question of fair rents. That has been very much discussed; but I must say, for one, that I do not understand the provisions of the Bill in reference to fair rents. I was in hopes that the hon. Member for Cork County, who understands the Bill so thoroughly, would have thrown some light upon the subject; but the hon. Gentleman has left us entirely in the dark. There are certain rules laid down for guidance which different Members of the Government who have spoken have interpreted in very different ways. The right hon. and learned Gentleman the Attorney General for Ireland, for instance, stated that all the clause meant was the competition rent minus the interest arising from the tenant's improvements.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I said—"The yearly value of the tenant's interest in his holding." It was correctly reported in *The Daily News*, but not in the other papers.

MR. MACNAGHTEN: I was quoting from *The Times*. I accept the right hon. and learned Gentleman's correction; but even now I do not understand him. Being of opinion that the rules are unnecessary, as well as confusing, and that it would be better simply to use the term "fair rent," I hope to see the clause re-constructed. There really is no difficulty about the valuation of rents in Ulster. The principle is well understood. It is only where the principle has been departed from that trouble has arisen. The thing is perfectly simple and clear, and will continue to be so, unless this Bill intervenes and throws everything into confusion. What Professor Richey says about the valuation of rents in Ulster is in perfect accord with my own personal knowledge. He says—

> "The essential point in the Ulster tenant right was, undoubtedly, the mode in which the fair rent to be paid by the tenant was ascertained. It was fixed, not by open competition, but by valuation. The re-valuation for the purpose of fixing the rent at the determination of the lease, or at any time during a tenancy from year to year, was always made by a professional valuator, or, at least, one in whom both parties had confidence, who valued the farm, having reference to the fair value of the ground, exclusive of buildings and tenants' improvements."

According to my experience, that is always done. The valuator first excludes the buildings, then he gives credit for the tenant's improvements; and, lastly, he puts a fair value on the land. Why cannot the Bill deal with the question in this simple manner, instead of making the addition wrong, and the substraction wrong, and then hoping to arrive at a right result? No one, I venture to think, has condemned the rules for guidance under the Bill so forcibly as the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, when he said—"We do not mean the words to be absolute guides." Now, I put it to the House whether there is anything so treacherous and misleading as guides which are not to be absolute guides? I earnestly trust, therefore, that the Government will re-consider the wording of this clause, so as to bring it into harmony with what has long been and is the custom of Ulster. I believe that nothing more is required than to direct the Court to determine what is a fair rent under all the circumstances of the case. If the Court cannot find out what a fair rent is in any particular case, the Judges certainly will not be worth their salary; they will only be fit for the lunatic asylum with which the hon. Member for Cork County threatened Judges who fail to understand this Bill. I should like to ask the hon. Member for West Suffolk (Mr. Biddell), who, I believe, has had great experience on the subject, whether he or any other competent person directed to value land for the purpose of fixing the rent was ever tied down by such absurd rules as are contained in the Bill? As for laying down rules of this sort for the guidance of the Court, I venture to say it will prove absolute nonsense. In connection with this subject there is also the important question whether the landlord shall be able to put the Court in motion. The right hon. Gentleman the Chief Secretary for Ireland observed that a landlord does not want the power, because he can raise the rent of his own motion. I do not think that that in itself is a satisfactory answer to the objection, for if the tribunal is to be a fair one as between both parties, it is difficult to see why it should not be open to the landlord as well as to the tenant. To the objection that the tenants would rush to the Courts, the right hon. Gentleman replied that they would have a wise reluctance to do so, because they would fear lest their rents should be raised. In my opinion, the tenants are far too shrewd to entertain any such fear as that. A tenant may go before the Court in order to feel his way, and, being *dominus litis*, he may withdraw his application at the last moment. There would be something in the answer of the right hon. Gentleman if the Bill provided that a tenant applying to the Court should not withdraw his application without the landlord's consent, and that the landlord might carry on the proceedings. But there is no provision of that sort in the Bill. The hon. Member for Southwark (Mr. Thorold Rogers), whose knowledge is as infinite as his contempt for our acquirements, and who always speaks with that mild wisdom which is peculiarly grateful to our feelings, said the other night that, according to his experience, lawyers knew very little of law or history either. And then the hon. Member proceeded to show his appreciation of both, of the uses of history and the principles of law, by citing as evidence against Irish landlords of the present day a passage written by Dean Swift 150 years ago. I think the House will hardly accept that as evidence. But possibly someone casting about to find a parallel for the probable position of Irish landlords after the passing of this Bill may turn to one of the more popular and trustworthy writings of Dean Swift. Some may think that on the morrow after this Bill passes Irish landlords will be in the situation of Lemuel Gulliver, who, awaking on the green slopes of Lilliput, found himself fast bound with chains and cords, so that he could turn neither right nor left; and while he lay in that plight, smaller men came with bows and arrows and shot at him, withdrawing and returning to the charge "from time to time," as the Bill has it, till at last he had to submit to be carried, bag and baggage, to the Metropolis from the country. That may, perhaps, be thought an apt parallel; but, as I do not wish it to hold good, I will venture to suggest one or two Amendments. The position of a landlord in reference to the Court is not satisfactory; but there are reasons which, perhaps, make it inexpedient to permit a landlord to initiate litigation. If that power were conceded, and the new tribunal proves expensive, as it probably will, some landlords might put pressure on their tenants by threatening an application to the Court. My proposal, by which, I believe, equal justice will be done to both parties, is that a landlord should be allowed, in a fair and reasonable manner, to go to the Court, and say—"Here is my rent roll; here is a list of my tenantry. There are the rents, and there is a schedule of their holdings. I do not want to raise my rents; but I want you to look at the roll, and if on inquiry you come to the conclusion that the rents are fair and reasonable and not in excess of what is right and proper, give me a certificate to that effect, and I will undertake not to raise my rents for a certain number of years." If, on the other hand, the Court thought the rents excessive, the landlord might re-adjust them, or, if he declined to act on the suggestion of the Court, the case would fall to be dealt with under the

Act in the ordinary way. Of course, I would give the Court power to make suggestions, and the landlord power to adopt them; but I would not give the Court power to treat the case as contentious business. By permitting applications of that kind on the part of the landlord, the Bill would, to some extent, anticipate and prevent the operations of agitators, and would encourage arrangements fair to both sides. Again, the provision I have suggested would be of great value to a landlord wishing to sell. The certificate of the Court would make it clear to the purchaser that in buying the estate he was not also buying indefinitely numerous lawsuits. There is a prejudice in this country against buying a lawsuit; but who would buy the germs of 150 lawsuits? There is another point to which I wish to allude. I have long thought that it would be a great advantage if there was a law passed that, after a sale, the purchaser should not be allowed to raise the rent for a certain number of years. Rents are frequently raised by a new purchaser. The purchaser who is wise in his generation knows that if he raises the rent 30 per cent when he buys and the next year reduces the rent 10 per cent, he will probably get a great deal more credit than a fair landlord who declines to make any reduction. I cannot see that there would be the slightest injustice to anybody in passing a law to the effect that after a sale the rents should not be raised for a certain number of years. As things are, the changes made by a new owner are often scandalously unjust to the tenants and unfairly profitable to the landlord. Before the Richmond Commission, one of the witnesses, who was a man of large experience and of high reputation, told this story of himself. He bought a property in the Encumbered Estates Court for £12,000. The rents amounted to £530, or about 4½ per cent—not a bad return for his money as things went. The tenants he described as being situated all higgledy-piggledy. He did nothing for them, and almost immediately he raised the rent from £530 to £790. One of the Commissioners, the hon. Member for Galway (Mr. Mitchell Henry), was curious enough to ask the reason why he raised the rent. He said, in the first place, he wanted interest for his outlay. By his outlay, he meant his purchase money; secondly, he said the bad times were over, he thought. Those two reasons may, perhaps, commend themselves to the judgment of some hon. Members. Then he gave a third reason—and I am afraid hon. Members on both sides of the House will think this an Irish reason. He said that he did not consider the tenants were entitled to much consideration, as they had only been there a short time. Again, the hon. Member for Galway was curious. He asked—"How long?" The answer was, "Between 30 and 40 years." One would have thought a gentleman who had raised his rents in the belief that the bad times were over would have kept the property in his own hands that he might make a remission if the bad times returned. But no. He determined to turn the estate into money. The man who was the most desirable purchaser from his point of view was a man of ill-omened name, so much disliked and feared that the tenants went in a body to petition that he would not "sell them" to this particular man. The words are printed in italics in the Report, so he knew the full import of their prayer. And he sold them; and the new purchaser, intending, I suppose, to walk in the footsteps of his predecessor, immediately issued notices to the tenants; then came an outrage or two, and then, I believe, a murder. This is one of the cases that brings Irish landlordism into disrepute, and Irish landlords into disgrace; and I dare say hon. Members think justly. I do not. That man was not an Irishman—he was an Englishman, one of yourselves—and when he had sold the property he returned to this country with the fruits of his enterprize. I will not mention his name, as I believe he is a thoroughly respectable man—[*Laughter.*]—according to English notions. According to my notion as an Irishman, it was absolutely shocking, and I think the law ought to step in and prevent such a thing being done. I appeal to the Prime Minister to give his favourable consideration to the point I have urged. There is another matter I wish to mention. Before the Act of 1870 no Probate or Legacy Duty was payable in respect of tenant right—now it is subject to both. This is thought a great hardship. It is strange that almost the only practical result of the Act of 1870 is to tax tenants in respect of their tenant right. I am sure that is not what the right hon. Gentleman intended, and I trust he will be able and willing to remove this grievance. Then comes the question of the constitution of the Land Court, which is really the pivot upon which the Bill hangs. What is wanted is a Court that should possess the characteristics once attributed by a great poet to a great Chancellor—though those qualities have not invariably distinguished the holders of the Great Seal —a Court which should be

> "Swift of despatch, and easy of access."

As for this tribunal, when it is wanted in Antrim, it will be found in the wilds of Connemara, or lost in the Bog of Allen, or wandering over the Purple Mountains of Kerry. We want a tribunal that we can readily have access to. I believe that if we had two Commissioners for each Province that would be found to be quite sufficient, and you would be able to do away with the Court of First Instance altogether. I believe that two men—a first rate judicial officer and a practical man associated with him —would be able to deal with the whole Province; and I think two a much better number than three. The Commissioners could make Reports to Parliament, and Parliament would then know how things were going on. As it is, the tribunal proposed is anything but satisfactory, and it is not unlikely to wreck the Bill. I am extremely obliged to the House for the patience with which it has listened to me. I have now done with criticisms and suggestions, and I have only to ask the House to look forward for a few months when the Bill will have passed into law. What will it accomplish? What will be its effect? Who will dare to predict? Sir, the result of Liberal legislation for Ireland for the last 40 years should make the boldest prophet hesitate before venturing upon another prophecy. The Act of 1848—the Encumbered Estates Act—was to have inaugurated a new era of commercial prosperity for Ireland, on the strictest economical principles. And now people will tell you—and to my thinking they are not far wrong—that that Act was one of the greatest curses ever inflicted on Ireland. Certain I am that no Act ever produced, ever invited so many cases of oppression, cruelty, and wrong. Anything that savours of feudalism stinks in the nostrils of hon. Members opposite. The Act of 1860 abolished all feudal tenures, and now it is a byeword and a reproach with the occupants of those Benches. Then came the Act of 1870, which was to be a panacea for all the woes of Ireland; and that Act is the very greatest of all modern legislative failures. All parties admit its failure, though they attribute it to different causes. The right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre) thinks the insertion of certain words in "another place," was the "little rift within the lute" which spoilt the music. Another reason he gave was the very curious one, that the Act had not been properly accepted by the people of Ireland. That the Prime Minister himself confesses the Act of 1870 to be a failure is proved by the introduction of the present Bill. Yet we all remember the songs of triumph which heralded the Act of 1870. Who that heard those songs, who that worshipped at its cradle, ever expected to see it pushed from its place by a lustier heir with so little family resemblance in its features? Sir, these things should teach us moderation. They should teach us, if I may repeat words I shall not lightly forget, to be a little more modest and a little less arrogant. I do not believe that anyone will welcome this measure with the same confidence, the same arrogance of prediction that greeted the advent of its predecessors. We can do little more than hope and trust that it may be more fortunate than its predecessors were. Something more we may do. We can resolve that during its passage through this House no clause, no line, shall be the subject of Party controversy. And when it has passed it may be that the great Parties in the State may cease to make Ireland their battlefield. If they would only do that, if they would only cease to bid against each other for the support of this or that political faction in Ireland, I should not despair of my country. I have seen many agitations in Ireland in turn discredited, and many agitators whose names were, for awhile, on everyone's lips, as the saviours of their country, pass away forgotten and unheeded; and all the time Ireland has increased in material prosperity, though there have been periods of gloom and depression.

409, against 557 in 1878; while the amount of compensation awarded for the whole of Ireland in regard to the claims of tenants was only £12,654 in 1879, and in 1878 it was only £17,063. That was all that was paid in those years to tenants who were disturbed for the improvements they had made. How stood the number of evictions about the same time? In 1877 there were 1,060 decrees executed for non-payment of rent, and 420 on the title; and in 1880 they rose to 2,888, or nearly double. The hon. Member for Leitrim (Mr. Tottenham) had referred to the remarkable fact that there were more evictions in Ulster, comparatively, than in other parts of Ireland in recent years. The explanation was very simple. The Land League had not had such power in the North as it had in the South. Who could doubt that, if it had not been for the Land League, the evictions in the South would have increased as they had increased in Ulster? The hon. Member had spoken of the best manure for the land being to salt it with rent; but that idea was not confined to him, because he (Mr. Litton) found that the Drapers' Company, so long ago as 1817, declared that the rent of the landlord and the enjoyment of the occupier arose from the same cause—

> "If the rent is raised the occupier is obliged to exert himself—thus greater exertions yields also the means of greater enjoyment to himself."

That certainly was a comfortable theory for the occupier. With regard to the Bill before the House, he was not altogether in love with many of its clauses, still, as he read it, it would secure the objects in view. Its main object was to deal with the large class of tenants who were unprotected in Ireland. The Bill did not seek to disarrange the relations between landlords and tenants as they existed, unless the tenants were forced by the landlords' conduct to seek the protection of the Court. The object of the Bill was not to interfere with these relations when it could be avoided and fair contracts were subsisting. That was shown by the exemption of leases from the Act. When there was harmony between owners and tenants, and the relationship worked easily, the Bill would have no operation at all. Therefore, hon. Members who complained of the amount of litigation which was likely to accrue from the Bill should bear in mind that there need be no litigation except in those cases specially alluded to by the hon. and learned Member for Antrim (Mr. Macnaghten), where the relations between landlords and tenants were strained. Once the landlords adopted and carried out the principle of the "three F's" the Bill was not required. Therefore, in dealing with this matter, a just and fair landlord had nothing to fear, and in that case things would go on just as if the Bill had never passed. The Bill provided for fair rents and for fixity of tenure, and in all cases the right of sale. He would attempt to deal with the principal objections made to the Bill. First, there was the political economy argument. It was said that the Bill was a violation of the laws of political economy. He would not go into that argument, as it had been the subject of so much discussion. He noticed, however, as a curious circumstance, that many hon. Members whose views in regard to political economy were entitled to much respect, while quoting the same authority, Stuart Mill, in support of their arguments, had disagreed in its application to the subject before the House. But practical politics did not admit of the universal application of any abstract doctrines of political economy, and there could be no doubt that the rigid application of general rules must be regulated by the particular conditions of the case. He should not attach much importance to the divergency of views expressed by the hon. Members for Salford (Mr. Arthur Arnold), Cork County (Mr. Shaw), and Southwark (Mr. Thorold Rogers), except to say that when they came to deal with a case like this he would not take the view of any political philosopher who had elaborated his views in his study. They had here to deal with matters appealing to their common sense. Even Mr. Bonamy Price, notwithstanding the strong language which he used with regard to this question, had, he (Mr. Litton) thought, given up the contest, when he admitted that the landlords themselves had pressed their position too far, when they took advantage of it to enforce unjust demands upon the tenants. Thus his arguments were not applicable to the state of Ireland. It was said that free sale destroyed fair rent; but he thought that was a great exaggeration. He might say that Judge Longfield, one of the highest authorities on this subject, had declared this assertion to be an abuse of language. It occurred to him (Mr. Litton) that the way to look at the matter was this. A tenant, suppose, who had his rent revised, sold his holding, receiving from the incoming tenant £100. In one sense, that added £5 a-year to the rent the incoming tenant would have to pay; but the outgoing tenant had himself expended a like amount, by reason of which the rent had been reduced. The value due to his expenditure was that which he sold—he was equally out of his capital, as the purchaser would be out of his; consequently, incoming tenants did not pay more in the shape of rent than outgoing tenants. Another objection was that the Bill was a concession to Irish agitation. But he contended that it was a concession to justice, and he was sure the tenant farmers of Ulster would repudiate the notion that it tended to interfere with the just claims of the landlord. He (Mr. Litton) thought there was a general desire on the part of tenants to recognize the landlords' right to a fair rent, provided the landlords showed a disposition to treat them fairly as to their just claims. As regarded the fair rent clause, he thought he spoke the mind of a considerable number of the tenants of Ulster on the subject—that there was no objection to the clause so far as it dealt with holdings subject to the custom. He objected, however, to the introduction of the word "estimated," which was too strong, too precise, and too mathematical a word. The word sought to indicate that the full amount of the value ought to be given, and he thought that word ought to be struck out. No tenant in Ulster desired to see the landlords' rent cut down to zero; and he, therefore, objected to the word "estimated." There would be more difficulty in dealing with cases outside Ulster, because, in addition to what might have been paid for the acquisition of the holding, the element of the tenant's right or interest was two-fold—namely, the improvement which he had effected, and also the increased value to which the soil had been raised by the continued process of good tillage. He did not think either that the disturbance scale should be applied in fixing the rents. The scale of compensation was certainly an element of value when a man was about to sell, but it was not applicable to the case of a tenant who continued in his holding; it was to be given as compensation on account of his being turned out of his holding, and if applied as a test of a fair rent, it might happen that a tenant would receive the amount during the currency of his tenancy in the shape of reduction of rent, and receive it over again when the tenancy was put an end to by the landlord. In the Act of 1870 the scale of compensation was regulated by the rateable value; whereas, in the Bill before the House, compensation was calculated according to the rent. That made a most important difference, and operated against the considerate landlord and in favour of the rack-renting landlord. He believed that the amount of litigation arising from the Bill would be as large as was expected. In 1879 the number of cases was 409 all over the country, and in 1878, 557. They had in the Bill the valuable provision of an arbitration clause which he had no doubt would be largely availed of, as it gave the landlord and tenant an opportunity of settling their differences without appealing to the Court, and he saw no reason why the landlord and tenant should fall out. He objected, however, to the Bill not dealing with existing leases. There had been cases notoriously in the North of Ireland, and equally in the South, in which pressure had been put on the tenant to sign leases under threat of eviction, with a view to enable the landlord to get out of the liability of the Act of 1870. He contended it would be right and just on the part of the Government to afford relief to tenants placed in that position, who should satisfy the Court that they had been forced, either by the landlord or by the agent, to agree to these terms. Tenants of that class ought to be relieved and have the benefit of the fixing of a fair rent. But there was a class outside the ordinary lessee—a class still more important, for whom some provision ought to be made, and those were the tenants who held under leases as yearly tenants. It might surprise hon. Members to know that such things existed; but to convince the House that such was the case he produced a lease of this character. The object of this was to evade legislation in the interest of the tenant. There was also another matter which ought to have been dealt with in the Bill, and that was the property of the London Companies and other Corporations. The Government ought to have called attention to this matter; but it would be his duty, and that of his Friends, to introduce Amendments to compel those Companies to sell their properties in case the Land Commission called on them to do so; and, further, to provide that in the event of their sale the right of pre-emption should be given to every tenant on the estate. He also thought the Court of First Instance, as proposed to be constituted under the Bill, would not be acceptable to the country, and was not competent to ascertain what was a fair rent. In fact, he believed the County Court Judges in Ireland did not think themselves qualified to decide on the question of a fair rent. That being so, he would prefer to have associated with the Judge two practical persons, selected for their superior knowledge of the land, who should visit the holdings and determine with the Judge all matters of fact, but not of law. He would not have them permanent officials, but selected by the Land Commission from a panel appointed and removed at discretion, as they were required in any particular locality. He had no doubt the House would pass the second reading of the Bill; and he would put it to hon. Gentlemen coming from Ireland—especially the Home Rule Members—whether it would not be for the benefit of their country, and conducive to the success of the measure, not only here, but in "another place," that they should recognize in it such an attempt to deal with the question as would justify them in giving their hearty support to the second reading. The question now was, would the House accept the second reading? He (Mr. Litton) heartily hoped it would, and, in conclusion, would quote the words of Edmund Burke—

> "The question is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I may do; but what humanity, reason, and justice tells me I ought to do."

Mr. REDMOND said, it appeared to him that it was the duty of every Member of the House, but more especially of every Irish Member, to approach the discussion of that measure in a spirit of fairness and liberality. However much many of them might disapprove of portions of the Bill—however much many of them might believe that, viewed as a whole, it was an inadequate measure to settle the Irish Land Question, still none of them could shut their eyes to the fact that its introduction marked an enormous stride of public opinion upon this subject. Great principles which, in 1876, were denounced from almost every quarter of the House were now recognized as just; and although they believed that those principles were not effectively carried out by the clauses of the Bill, still it seemed to him that it would ill become them to approach its discussion in a spirit of carping criticism, or to withhold from it a full and fair and even generous consideration. But just as, in 1870, a few Irish Members boldly protested that the measure which was then introduced was an inadequate one—just as a few Irish Members then ran the risk of being misunderstood, and of having their motives misrepresented by assuming a seemingly hostile attitude, so, to-day, there were Irish Members upon those Benches who were determined at all hazards to do what they conceived to be their duty to their constituents by protesting that this measure, as it stood at present, could not afford a settlement of the Irish Land Question, and that, if carried into law in its present shape, it would prove absolutely injurious to a large number of the small and poorer tenants in the country. Although the portion of the Bill which dealt with the relations between landlord and tenant was absolutely essential to provide immediate relief, still it could only be regarded at best as a temporary arrangement. In his opinion, no regulation of the relations between landlord and tenant could settle the Irish Land Question. The most that could be claimed for it was that it might render the present system tolerable, while that system was being slowly, but surely, abolished by the other portions of the Bill. The Bill proposed, with certain modifications, and conditions, and restrictions, to establish the principles of fair rent, fixity of tenure, and free sale; but the carrying out of all these principles, and, in fact, the whole working of the Bill, was made to depend upon the Court. No more important function, no more difficult duty ever devolved upon any tribunal than that of fixing a fair rent. In his opinion, it was a duty which it was utterly impossible for any tribunal adequately to fulfil. But, at least, they had a right to expect that the tribunal which was to be invested with this novel and extraordinary power should be one which would command the respect and confidence of the people. What was the tribunal established by this Bill? No new one at all, but an old and dishonoured institution. The Civil Bill Court was tried, and had failed to work the Act of 1870. There was a clause in that Act providing that compensation might be given to tenants evicted for non-payment of rent, if the rent was proved to be exorbitant. During the whole of the operation of the Act there were only three cases in all Ireland in which such compensation had been awarded. It was idle to say this arose from rarety of exorbitant rents. It did not; it arose from the fact that the Court did not receive, and, as he believed, did not deserve to receive, the confidence of the people. He had three objections to the tribunal. In the first place, it seemed to him that the Civil Bill Court had already work enough to do. It had not the time at its disposal to deal with these cases—the thousands of cases which, notwithstanding what was stated by the hon. and learned Member for Tyrone (Mr. Litton) must come before it in every part of Ireland, if the bulk of the tenants were to be benefited by this Act. Then, its processes were so expensive as to forbid poor men who required to be benefited from applying to it. The Court was also constituted in such a way that it was regarded, whether rightly or wrongly, with almost universal suspicion and mistrust in Ireland. What was wanted, in his (Mr. Redmond's) opinion, was a separate, distinct tribunal, which would be able to give all its time and attention to the cases arising out of the Bill, and which should also be cheap in its procedure and expeditious in its working. It should be constituted, not as to-day, by men drawn from one class of the community, who had been chosen for preferment, either in consequence of the social influence of landlords, or of political services rendered to some English Party, but composed of men drawn impartially from all classes of the community, men chosen solely in consequence of their fitness for the work, and who would command the respect and confidence of the people. That was his first general objection to the Bill as it now stood. His second objection was, that, if he read it right, the immediate result of its passing into law in its present shape would be that hundreds of thousands of small tenants throughout Ireland would be evicted from their homes. That seemed strange in a Bill which some of its supporters stated gave fixity of tenure; but the explanation was that there were 300,000 tenants in Ireland who were rented at less than £8 a-year, and the vast majority of these, in the South and West of Ireland, were at that moment hopelessly in arrears. Their rent had accumulated in disastrous seasons in consequence of the iniquitous rack rents which were exacted. These arrears it was impossible the tenants in question could pay. How would those men be treated by the Bill? Why, they would be compelled by the landlords to sell their tenant right. They would be forced on a depressed market, and the price offered for the tenant right, whether it was large or small, would go, every penny of it, in arrears due to the landlord. In such cases, the concession of freedom of sale was nothing but a mockery. If that took place, eviction with all its harshness remained; and he asked, in all fairness, would it be any consolation to those men, when they and their families were thrown out penniless and hopeless from their homes, to be told that, by a beneficent measure passed in that Parliament of England, the inestimable boon of freedom of sale had been conferred upon them? The Court was to decide what was to be a fair rent for the present, and for the future for 15 years. Assuredly, it would be equally well qualified to go back six years, and say what would have been a fair rent during that time. If that was done, those claims for arrears would be reduced to their just proportions; and then it would be the duty of the State to step in and compensate the landlords for their just losses. That might appear a startling proposal; but would it not be better for the State to spend some millions to enable the tenant farmers to reap the benefit of the Act, and to have a fair start, than to spend the money in keeping an army of 40,000 men in Ireland to enforce an unjust law and to assist in evicting the people from their homes? He knew not on what principle of justice leaseholders were to be exempted from the Bill. In many parts of Ireland leases had been forced upon the tenants to cheat them out of the benefits of the Act of 1870. The notorious "Leinster lease" robbed the tenants of the Duke of Leinster of the benefits of the Act of 1870; was it to be allowed to rob them of the benefits of the Act of 1881? He objected also to that part of the Bill which afforded increased facilities for emigration. If there was any reason for the proposal, it was that emigration had been too slow. His answer was that within the last 28 years over 2,500,000 men and women left the shores of Ireland; last year almost 100,000 emigrated, and of these 75 per cent were between the ages of 15 and 35. What nation on earth could stand such a drain as that? But why should they leave? While there were in Ireland thousands of fertile acres without a homestead, and thousands of acres of reclaimable land, it was cruel mockery to the Irish people to talk of increased facilities for emigration. He had said that the Bill recognized great principles. The greatest principle that it recognized was that landlordism in Ireland was an evil. True, compulsory expropriation was not to be found within the four corners of the Bill; but so desirable, nay, essential, did it appear to the Government to get rid of Irish landlords, that extraordinary facilities were to be afforded to induce them to sell. He welcomed with pleasure that portion of the Bill by which facilities were to be afforded for the creation of a peasant proprietary, though it appeared to him some of the provisions for that purpose were very inadequate and absurd. As far as he knew, there was no reason to suppose that it would be unsafe for the Government to advance the whole of the purchase money; and he could not understand with what object the Bill imposed restrictions that would be absolutely fatal to the proper working of the clauses. Three-fourths in number and value of the tenants would have to say that they were willing to buy their holdings before the Land Commission would be empowered to buy an estate from a landlord who desired to sell. That condition would, he feared, be seldom fulfilled; and it was, from every point of view, unnecessary. Still, notwithstanding these defects, he viewed this portion of the Bill with some hope. In a speech addressed to his constituents, the junior Member for Leeds (Mr. Herbert Gladstone) said that the Government would resist all Amendments emanating from the Land League Members. He very much regretted that determination; but the letter of the Prime Minister to the Irish Bishops, and the speech of the Chief Secretary for Ireland at Bradford, had convinced him that such was the intention of the Government. The hon. Member for Leeds also stated that the era of conciliation for Ireland had begun. He was fain to believe it; but what could Irishmen think when the Irish Executive put forth its powers against men of high and unimpeachable character, and the Forces of the Crown were employed to maintain unjust and iniquitous laws? Had the Prime Minister been present, he would have asked him to listen to the suggestions that would emanate from the Irish Representatives; and if he took that course he would, in truth, inaugurate an era of conciliation, and there would be some chance that the Land Law (Ireland) Bill would be formed into a wise, lasting, and beneficial measure of reform. But if the right hon. Gentleman allowed himself to be bound by the evil traditions of English Governments in the past, if he resisted and refused all concessions to Irish opinion, and, at the same time, insisted, under the malign influence of the right hon. Gentleman the Chief Secretary for Ireland, in forcing on the Irish people a hateful reign of terror, then not only would the Bill inevitably fail, but a great opportunity would be lost, never to be regained by him, of doing justice to Ireland from that House, and putting an end to a record of misery and bloodshed which was a disgrace to the history of England, and was unparalleled in the history of the world.

Sir JOHN RAMSDEN: I am very glad, Sir, to be able to agree with the hon. Gentleman who has just sat down (Mr. Redmond) in that part of his speech in which he referred to a peasant proprietary; and I rejoiced to see that some of the leading Members of the Government who have taken part in this discussion—especially my right hon. Friend the Chancellor of the Duchy of Lancaster (Mr. John Bright), and my noble Friend the Secretary of State for India (the Marquess of Hartington) in his speech at Fishmonger's Hall—have put aside, to a secondary position, those complicated provisions which are intended to regulate the future relations of landlords and tenants, and raise, to the first place in importance among the Government proposals, those clauses which will lead to an increase in the number of the owners of land in Ireland. In doing so, the Government are faithfully adhering to the principles which have guided their Party in the great reforms of the last 50 years. We, Sir, have ever looked to the wide extension of rights and franchises among the great body of our fellow-countrymen as the surest bulwark of the Throne and the Constitution; and so, in like manner, if the fortress of property is ever to be attacked, I believe its strongest defence will be found, not in raising the walls or barring the gates, but in extending wide the outworks and strengthening the garrison, so as to enlist on the side of the defence, by the strongest motives of self-interest, the largest possible number of those who, if jealously excluded, might, in some future hour of difficulty or danger, throw the weight of numbers on the side of the attacking force. I shall, therefore, give my hearty support to any well-considered measure which, with a due regard to the rights of the present possessors, is calculated to promote a large increase in the number of the owners of land. So, also, as to emigration. No doubt, Sir, we should all prefer to keep our people at home if we could. Human life and human labour are two of the most precious forms of public wealth; and we cannot part with them, even to our own Colonies, without a pang. But when, as in this case, it has been shown that whole districts of the West of Ireland are so crowded and so poverty-stricken, that if you made the people a present of the fee-simple of their holdings to-morrow they could not subsist on them in comfort, I can conceive no wiser and no worthier form of help than to offer them the means of transport to a country where the ownership of rich and virgin land is to be had for the mere taking possession, and where their own labour and that of their families, which in the overcrowded market round their present homes is a mere drug, would command certain employment and ample reward. It is, therefore, with deep regret that I have seen the reception this proposal of the Government has met with from the Leaders of the Irish people. It is only one more instance of that unhappy spirit of distrust which does so much to frustrate our best-meant efforts in the cause of conciliation and peace. But if the Irish people still entertain any doubts as to the great price we are ready to pay for their good-will, I think this Bill should remove those doubts. I would ask them to consider what it costs to the English Government to propose, and to the English Parliament to entertain, such a measure as this. It has already cost the Prime Minister the sacrifice of one of his oldest and most honoured Colleagues. But before these debates are over I am afraid it will have cost him a great deal more. Do they think it can be pleasant for a statesman of his standing and reputation to sit there to be pelted with his own speeches? And yet I feel sure my right hon. Friend would himself be the first to admit that no fairer weapon—and certainly no more brilliant or effective one—can be used against him by his opponents. For my own part, I am very grateful to my noble Friend the Member for Haddingtonshire (Lord Elcho) for giving us these speeches in so convenient a form. They have been very valuable to me, though perhaps I have used them not exactly for the purpose, or with precisely the result, which my noble Friend intended. I freely confess, Sir, that during the last four or five weeks I have often turned with repugnance from the study of the complicated clauses and questionable principles which this Bill contains; but I have always found the most effectual antidote to that repugnance in reading the speeches made by the Prime Minister in 1870. In those speeches I find he lays down, affirms, argues, and challenges confutation of those principles which I believe to be true, and which this Bill too often infringes. What inference am I to draw from that? Am I to conclude that my right hon. Friend has changed his mind? No, Sir; I would rather believe that he and many of his Colleagues have felt precisely that same repugnance to this Bill which I feel myself, and that they have seen reason to overcome it. The Bill, we are told, violates the doctrine of Free Trade. Undoubtedly it does. Yet who supports it more zealously than the honoured champion of Free Trade, my right hon. Friend the Chancellor of the Duchy of Lancaster. The Bill establishes new and dangerous principles of law. I fear that cannot be denied. Yet who is there in all England whom we on these Benches, and more especially those of us who are not quite so enlightened and advanced as some of our Colleagues, look up to as the safest and most trusted guardian of the law? Is it not the present Lord Chancellor? And yet this Bill has not scared the Lord Chancellor from the Woolsack. The Bill sets political economy at defiance. That certainly is my own opinion. Yet who introduces it? Is the Prime Minister some benevolent enthusiast, who treats the doctrines of Adam Smith and Malthus with contempt? Do we not know that for the lifetime of a whole generation of men, ever since the majority of the Members of the present House of Commons were boys at school, the Prime Minister has been not merely studying the laws of political economy, but applying them with unparalleled success to the most complicated problems of legislation and finance? But we are told all this is admitted. The Government know well enough what they are about; and here lies the gravamen of the charge—they err with their eyes open. Knowing the right course, they deliberately prefer the wrong, and that for Party purposes. I hardly know whether to treat that accusation as seriously intended or not. I believe it is made half in joke and half in anger; and that those who make it hardly expect us to take them at their word. Unjust as I believe it to be, its injustice is not half so flagrant as its absurdity. For what do the Government gain, in a Party sense, by this Bill? Has it conciliated the Representatives of Ireland? Not in the least. Is it, then, their own supporters who are so desperately enamoured of the Bill? I wish we could put that to the test. Allow me, only for a moment, to assume that the Prime Minister were now to get up in his place, and say—"We have discovered a plan for restoring peace and prosperity to Ireland without departing from any of the principles we laid down in 1870. The Duke of Argyll has resumed his place in the Government. I ask leave to withdraw this Bill in order to substitute for it one framed on very different principles." Is it not notorious that if the Prime Minister could make such an announcement as that, it would bring joy to the hearts of many of his steadiest supporters? Should we not go home with a sense of ease and relief to which many of us have been strangers ever since this Bill was introduced? No, Sir; the opponent of the Government must find some more plausible theory to account for this Bill than to say it has been introduced for Party purposes. If I had myself to offer a solution of the problem, it would be a very different one. I should say that the extent of the departure from the principles of 1870 was a measure of the sense the Government entertain of the imperious and paramount requirements of the great emergency with which they have to deal. The nature and extent of that emergency are patent to us all. The reasons which have induced the Government to adopt this particular mode of dealing with it have not yet been fully explained; and I, as a supporter of the Government, feel it my duty to vote in favour of the second reading of the Bill, in order that we may have the opportunity of hearing those reasons more fully explained. As regards those questionable provisions in the Bill with which we shall have to deal when we get into Committee, I shall endeavour to approach them in the spirit of that faith in my Leaders which may avail to remove mountains, though I confess myself quite unable to aspire to that still higher form of faith which seems to enable its possessors to shut their eyes to the fact that there are any mountains at all to be removed. Passing to the Bill itself, I shall be anxious to hear why the Government propose to apply the Bill to future tenancies at all. The Bill is commended to us as a measure of justice, to give legal protection to certain moral and equitable rights of Irish tenants arising from the past history of their tenure. But this can only apply to existing tenancies. Where there is no existing tenancy and no existing tenant, there can be no tenant right. To apply the Bill in those cases would attach a penalty, perhaps amounting to a prohibition, to the letting of any land now in the landlords' occupation. It would deprive the landlord of a valuable right, without conferring any corresponding benefit on anyone else. Indeed, it would injure the whole class of tenants by still further restricting the supply of land available for letting, when the reason for legislative interference arises from the fact that this supply is already far too small to meet the demand. I hope the Government will also explain why they propose to give the right of free sale to every tenant, quite irrespective of whether he has paid for it at his entry or not. The regulation of rents by a public tribunal is, no doubt, false in principle; but there are strong arguments of expediency to recommend it in Ireland; and no other plan has been suggested by which the evils of excessive competition for land can be controlled. But if competition is so dangerous a weapon that we are forced to violate our own principles in order to wrest it from the hands of the landlord, who is bound by the strongest inducements of self-interest to use it with moderation, on what possible ground, either of justice or expediency, can we intrust it to the tenant, who is under no such inducements to moderation at all? I have never yet heard a satisfactory answer to the objection that fair rents cannot co-exist with free sale—that the two are not merely antagonistic, but absolutely and essentially incompatible. And there is a further difficulty attaching to this question of free sale. It has been proved in evidence before us that while some landlords have admitted the right, others have paid large sums to keep it off their estates; and there are, again, others who, under the powers of the Land Act of 1870, have bought up the right and extinguished it at a large expense. How are you going to deal with these conflicting cases? It needs no argument to prove that, if you re-create a right which has just been bought up in reliance on the good faith of Parliament, you must give compensation. But this Bill contains not one word as to compensation; and yet I hold it to be absolutely impossible that the Government can intend to propose to us any measure that will in the slightest degree justify the strong language of my noble Friend the Member for Haddingtonshire. I cannot myself see how you will ever work this Bill without giving rise to just claims to compensation. When this question was raised early in the debate, my right hon. Friend the Chief Secretary for Ireland answered with his usual honesty and straightforwardness—"Why should we compensate the landlords when we do them no harm; when, indeed, we confer a benefit on them by the Bill?" When I read that, I thought my right hon. Friend had been profiting by the advice given by the Prime Minister to a candidate at an election during the Easter Recess, and that he was taking the bull by the horns with a vengeance. I have no doubt my right hon. Friend expressed his own sincere opinion; but I am afraid he will find it difficult to make good this point throughout the coming debates. He must remember that from the day this Bill passes, competition for the ownership of land in Ireland, as distinguished from the tenant right, is at an end. After passing this Bill, you cannot reasonably expect that another shilling of English money will in future seek investment in Irish land. There will remain only two purchasers—the occupying tenant and the Land Commission. The Land Commission certainly will not bid against the occupying tenant; and I think we may trust the Land League to take care that he is not embarrassed by any other competitor. This Bill will, therefore, virtually destroy and close the market. I quite admit that the operation of the Bill is so obscure that it would be very difficult to assess the amount of depreciation beforehand with any approach to accuracy; and the attempt to do so would lead to long and perhaps painful controversy, which, I hope, we shall be able to avoid. Fortunately, a proposal has been made which is not open to these objections. The proposal first appeared in the Report of the Bessborough Commission, inserted there by the O'Conor Don; and it has since been endorsed by Lord Lansdowne and Lord Dufferin, and other high authorities. I mean the proposal that this Bill should give to every owner of land in Ireland who considers he will be injured by it the option of making over his estate to the Land Commission at a fair price. The proposal is so reasonable, so moderate, and so obviously demanded by justice, that I hope the Government will see no difficulty in adopting it. And there is another argument which, with the zealous supporters of the Bill, may weigh almost as strongly in its favour as the argument of justice itself. Those of us who had the good fortune to hear the speech of my right hon. Friend the Chancellor of the Duchy of Lancaster on Monday night must have been deeply impressed by his earnestness in supporting what he described as "the great object of this Bill." Speaking of the ownership of land, my right hon. Friend said—

> "I believe now that if it were possible to make so great a change, if it were practicable, it would be of more advantage to Ireland and its population than all other measures that it is possible to conceive of or attempt if we were to transfer three-fourths of all the tenants of Ireland from tenants into actual owners of their land."

And, after illustrating his argument by reference to Russia and France, my right hon. Friend proceeded—

> "And I venture to say . . . . that there is nothing that Parliament can do, and scarcely anything that it can spend, that will not be amply compensated by a great and wide-spread liberality with regard to this particular part of the Land Question."

These, Sir, are very remarkable words indeed. Speaking with all the weight, and under all the responsibility, attaching to his great authority in the counsels of the Government, my right hon. Friend tells the House of Commons that to turn three-fourths of the tenants of Ireland into owners of their own land would be of more advantage than any other measure it is possible to conceive, and that the expense would be amply compensated by the result. This being the opinion of the Government, they must of necessity desire to give effect to it; and they can only do so in one way—by offering to the owners of land in Ireland every fair and reasonable inducement to sell their estates. I sincerely trust the Government will show they have the courage of their opinions, and themselves amend the Bill by inserting clauses giving to every landowner in Ireland whom this Bill affects the option of selling his estate to the Land Commission at a fair price. Justice and sound policy alike concur with the avowed opinions of the Government in recommending that Amendment. I believe it would greatly assist the passage of the Bill, and go far to insure its success when it has become law, because it would enable the Government to give large and immediate effect to that object they have so much at heart—the creation of a peasant proprietary.

Sir JOHN HAY said, he wished to make a few observations as to what the Bill would cost if it were passed. There were three divisions of the measure on which public money would be expended. There was, first—the question of expropriation, or the assisting of tenants to purchase the land of the landlords; then, the question of reclamation; and next, the question of emigration. These three heads of the Bill would appear to require a considerable expenditure of public money; and he would endeavour to indicate to the House what the amount of money was which the Exchequer might be called upon to pay. The other day he asked the Prime Minister a question with reference to the amount of the liability Government would incur under the Bill; but the right hon. Gentleman said he thought it would be better to answer that in Committee. He (Sir John Hay), however, thought it should be considered by the House before it reached that stage, and he trusted the House would agree with him in that opinion. With regard to the reclamation of land, those familiar with some parts of Scotland would know that what was grouse moor 30 years ago now carried corn and turnips; and he had had experience enough of that kind of reclamation to be able to say pretty accurately what it cost. There were 5,200,000 acres of land under tillage in Ireland. Over a very considerable area reclamation could not be undertaken for less than something like £17 an acre, exclusive of houses. The cost of improving the land and placing a habitation on it, if a cottage were to be built on each 20-acre lot—and the hon. Gentleman the Member for Cork City (Mr. Parnell) had stated that 20-acre holdings were the smallest which could be profitably distributed among peasant proprietary—could not be put at less than £4 or £5 additional per acre; therefore, the reclamation of 3,000,000 acres would cost something like £22 or £23 per acre. The hon. Member for Mayo (Mr. O'Connor Power) had stated, in his able speech, that 3,000,000 acres was all the land available for profitable reclamation. That being so, the reclamation of 3,000,000 acres would cost at least £66,000,000 of public money. If the whole of the 8,000,000 acres of land which would then be brought under cultivation were to be appropriated, there would be room for

400,000 peasant proprietors, or, counting five persons to each family, for 2,000,000 persons. With regard to the question of expropriation of proprietors, the rents of Ireland at that moment amounted to £13,000,000 or something more, and, taking the price at which the land had been sold under the Church Estates Commissioners—namely, 22 years' purchase — the cost would amount to £286,000,000. The Treasury would be liable for, and would guarantee, three-fourths of this sum — namely, £210,000,000. If the 400,000 peasant proprietors, who represented, say, taking five as the number of the family, 2,000,000 persons, were the whole of the Irish people; and if we were likely to get rid of all the Irish difficulties by paying this money, no doubt the Representatives of England and Scotland might feel themselves justified in incurring that liability. But it did not seem to him that the question could be settled in such a manner, because the population of Ireland at the last Census was considerably over 5,000,000 persons. Of these, 68,000 were owners of land, and 6,000 were tenants of over £100 a-year rent. These persons, with their families, at five to a family, represented 350,000 persons. There were in the seven largest towns 650,000 persons not principally dependent on agriculture. If they added the 1,000,000 persons thus indicated to the 2,000,000 persons who represented the peasant proprietary to whom the whole land of Ireland under tillage or to be reclaimed was to be appropriated, there still remained more than 2,000,000 persons unprovided for. He spoke with some knowledge, having, like all Scotchmen, recognized the advantage of emigration. The hon. Member for Cork County (Mr. Shaw) said when Scotchmen left their native land they never went back again. But that was not the case, because, having represented an English constituency for 18 years, he (Sir John Hay) now represented a Scotch one. No doubt hon. Members had read the valuable and patriotic communication addressed by the Canadian Government to ours on the subject of emigration. In Manitoba alone there was room for 80,000,000 persons. There the wretched cottier, who passed his time between starvation and sedition, would become the honest and industrious possessor of 320 acres of fertile soil; and priest and people, either in village communities or in separate homesteads, would become an orderly, loyal, and happy community. It would be far better and more sensible to get rid of the surplus population by placing them on farms of considerable size in Canada, where they could live comfortably and be useful to the land of their adoption, as well as to the Empire, than adopting any of the other two courses that had been suggested. There was a small island in the Hebrides — North Uist — which had a population in 1847 of something like 6,000 persons. The advance of science had the effect of taking away the value of kelp for commercial purposes, and the consequence was that the people of the island lost their means of gaining a livelihood. Lord Macdonald agreed to remove from the island 3,000 persons at his own expense and send them to the Colonies; but, with the exception of about 600, they all desired to remain there. The result was that charitable persons in Scotland provided a considerable sum of money for the reclamation of the land on the island, and the land was reclaimed. But, after the experiment had been tried, it was found that the ground was so unfertile that it could not be profitably cultivated; and in the end the population was reduced to 1,600 or 1,800 persons, the rest being sent off to Canada, at the expense of Lord Macdonald, where they were a most contented and happy community, whilst those who remained were no longer an indigent community. He thought it would be well if the people of Ireland would profit by the experience of this island.

MR. MITCHELL HENRY said, he had always held the opinion that the Irish Land Question was only a branch of the great Land Question of the United Kingdom. The question had become accentuated in Ireland from the peculiar circumstances of that country; but no settlement which was unjust and inequitable in itself could be a safe and permanent settlement. He maintained that the true test of any Land Bill brought before Parliament was whether it was just on the one hand to the tenant, and on the other to the landlord. No one in his sober senses could believe that by any action of the Legislature they could prevent the hiring and the letting of land, any more than they could prevent the hiring and letting of carriages or horses. They might, if they pleased, transfer the virtual ownership of the land from one class of persons to another; but all history taught them that amongst the class that was favoured by the legislation of the moment there would be the thrifty and the idle, and the fortunate and the unfortunate; and it was contrary to human experience to suppose that those persons who entered into the possession of land for the purpose of cultivating it would, when they became rich, not desire to give up their occupations to tenants. He looked upon all the proposals to do away with landlordism simply as attempts to delude the public, and especially the Irish public. Few who had thought out the question would deny that there was no such thing as absolute property in land vested in individuals. Land was invariably held on trust either expressed or implied. The whole land of this country was supposed to be vested in the Crown, and granted by the Crown to individuals for specific purposes. If it were true that the land was held upon trust, there was also something else that followed. In his opinion, the landlord and tenant were in all countries virtually, if not absolutely, co-partners. They might not have actually the same interest in the land; but so long as the relations between landlord and tenant existed they were really and truly partners. They made their own bargains; the landlord was the sleeping partner and the tenant was the working partner. But what followed from this? That the principle of arbitration, as in all partnerships, was the true principle on which to settle disputes between landlord and tenant. It seemed to be forgotten that the principle of arbitration, which he had frequently heard excite in the House the greatest astonishment and reprobation, was the very principle, not, however, extending to the question of rent, that was embodied in all Scotch leases. That was one cause why, in his opinion, the relations between landlord and tenant had been so little disturbed in Scotland. The primary principle of this Bill was to establish a Court of Arbitration, which could determine vexed questions between landlord and tenant. For years the tenants had been asking it in vain, because the relations between them and their landlords had not been the same as in the other parts of the Kingdom. The principal reason of this was the difference in religion. Scotch and English landlords were able to take the greatest interest in the spiritual and moral welfare of their tenants; but in Ireland that was impossible. Much of the land had been given to the landlords with a mission to propagate a religion hateful to the tenantry. A great gulf was thereby fixed between the landlord and tenant in the matter of religion, dating from the time of Elizabeth and Cromwell. No Irish landlord, however, could, in these days, venture to interfere with the religion of his tenant without the certainty of offending the religious feelings of the people. The consequence was that the relations between landlord and tenant in Ireland were very different from those which prevailed in England and Scotland. Irish landlords were thus led to consider their tenants as so many machines for the production of rent. He did not deny that the great majority of the landlords in Ireland, grossly and wickedly as they had been calumniated, had performed their duty to their tenants; but the misfortune was that Irish landlords, as a body, had not those intimate social relations with their tenants which were characteristic of the English landlords. The management of Irish estates was committed to agents. They all knew that in an Irish novel the first picture presented was that of the heir of the estate going abroad, spending his money, and sending home to the agent to raise him more rent.

Well, the principle which had been so long demanded of a tribunal to stand between the landlord and tenant to settle the question of rent had at length been adopted by the Government. This object, good as it was, might be carried out so as to interfere unjustly with the landlord in two ways. First, pecuniarily, it might reduce his income in an arbitrary manner. One clause in this very Bill which had not yet been explained might, in the hands of an unjust Judge, confiscate a large portion of the property of the landlord. In the second place, it might injure the landlord in his feudal relations with his tenants. Now, until the passing of the Ballot Act the vote of the tenant was considered as much the absolute property of his landlord as the rent itself. When he was first returned to the House it was never expected that he should canvass a tenant, and the best gift that could be bequeathed to his successor by a previous Representative of a county constituency was the book which told what particular bailiff influenced such and such tenants on an estate. It was, at that time, not the custom for Parliamentary candidates to address the electors at all, except upon the hustings at the time of the elections; and such things as meetings during the Recess for the Member to give an account of his stewardship were never heard of. That was only 12 years ago. What a change had been brought about by recent legislation in the relative position of landlord and tenant! The ballot had absolutely annihilated all illegitimate power on the part of the landlords, and had thus deprived them of the last remains of their feudal privileges. He, therefore, specially valued in this Bill the establishment of a judicial tribunal between the landlord and the tenant, because, from the circumstances just mentioned, such a change would injure no one; but he hoped the Prime Minister, on the question of the tribunal, would adopt the recommendation of those who had observed the working of the Land Courts in Ireland. He was quite convinced that Courts with a County Court Judge as Chairman, being the sole arbitrator between landlord and tenant, would be productive of nothing but disaster. He did not impugn the perfect fairness and honour of County Court Judges. There were 32 of them, some of whom had the reputation for giving judgments in favour of landlords, and others in favour of tenants; but, however learned and meritorious they might be in reality, it would be most unwise in the State to place them in a position in which it might be supposed they would not be perfectly impartial in their judgments. He thought it would be useful to associate with them an arbitrator to advise and act with them. But the great complaint he made against the Bill, which he regarded, nevertheless, as a noble effort to settle a most intricate question, was that it was a Bill which would settle all questions by litigation, whereas the questions between landlord and tenant ought to be settled by courts of conciliation. If a certain number of perfectly impartial abitrators who had a knowledge of the qualities of land were selected by the Government and associated with the County Court Judges in the investigation of these subjects, we should get a tribunal which would be fair to the landlord and to the tenant, and which would not involve the latter in the cost of litigation that was foreshadowed in this Bill. He should like to see the Land Commission appoint sub-Commissioners to visit the various districts. These sub-Commissioners would be able to settle half the disputes between landlord and tenant, by a simple hearing in an informal way, without expensive records and without any fee. With regard to the Land Commission, it had been rumoured that of the three members of whom it was to be composed one would be the excellent Nobleman who presided over the Irish Church Commission, while another would be a learned Judge who was a member of the same Commission. The Church Commissioners had been most successful in giving effect to the Bright Clauses of the Land Act, for out of 8,000 ecclesiastical holdings with which they had to deal they had sold nearly 6,000 to the tenants; and he believed the same Commissioners would be equally successful in administering the provisions of this Bill, whilst the experience of themselves and their staff would be most valuable as regards waste lands. He was aware the Prime Minister thought the undertaking of State works in the West of Ireland would be against all the principles of political economy. He deeply regretted that fact, which, indeed, was unmistakably written on the pages of this Bill, for his own experience of Ireland had convinced him that if we left that festering sore untouched, or left the execution of works to Joint Stock Companies, we should perpetuate the source of all the evils under which the people were labouring. Unless Parliament grappled with the industrial development of the country and the amelioration of the cottier tenants of the West of Ireland, no real good would be accomplished by any Land Bill.

He must refer to another question, which it was very painful for him to speak upon, but which, in the interests of truth, he ought not to pass by. The organization which had kept up the agitation on the Land Question during the last 12 months had presented itself in a Protean shape to that House. Hon.

Members had heard constant denials of the principles on which that organization was based. It was with feelings of amazement that he heard the hon. Member for the City of Cork (Mr. Parnell), when charged in that House by the First Commissioner of Works (Mr. Shaw Lefevre), deny that he had ever advocated the expropriation of landlords. Why, the fundamental principle of the Land League was not to evict tenants, but to evict landlords. He heard that statement to the First Commissioner of Works with the greatest astonishment, and he thereupon referred to the records of the Land League, and found there a series of resolutions which were passed on the 30th of April last year at a great conference in Dublin, at which the hon. Member for the City of Cork presided. The most important resolution was this—

> "That, for the settlement of the Land Question, a department should be constituted which should be empowered to acquire the ownership of any estate upon tendering to the owner of the estate 20 years' purchase at Griffith's valuation; and, moreover, that any tenant tendering that amount should thereby become entitled to the ownership."

Well, was not that expropriation? Then, why did the hon. Member for the City of Cork contradict the right hon. Gentleman?

MR. PARNELL: I did not.

MR. MITCHELL HENRY: Am I to understand that the hon. Member denies that he did contradict?

MR. PARNELL: The statement of the First Commissioner of Works was that I had advocated, and that the Land League had advocated, the compulsory expropriation of all landlords. I had advised, and do still, the expropriation of landlords, but not of all landlords.

MR. MITCHELL HENRY asked whether the hon. Member or anyone else would say that the resolutions did not apply to all landlords? Not content with that, the hon. Member for Cork said, at the close of his address, that he had long advocated the proposal of fixity of tenure; but, he added, let them disguise it as they might, any compromise with the system of landlordism simply meant the prolongation of it. He would, therefore, throw overboard fixity of tenure, and he went on to ask those who had supported it how long they had been "fiddling" with it? The Irish people had been taught distinctly by the hon. Member and his allies that the only mode in which the Land Question could be satisfactorily settled was by getting rid of landlords—of all landlords, not merely of some. What assistance, he would ask, had hon. Members given towards the settlement of the Land Question? At a conference in Dublin, only the other day, a learned gentleman used expressions which made his blood turn cold. He said the bankruptcy of the greater part of the Irish landlords was inevitable if tenants would only persevere in withholding their rents, in contesting their claims, and preventing them from getting any money out of the land. He (Mr. Mitchell Henry) contended that that was a most immoral and revolting sentiment. He knew at present landlords who were in far greater destitution than their tenants. [*A laugh.*] An hon. Member laughed; but he was not a landlord. Day after day there were instances of applications by Irish landlords for the means of obtaining a day's bread, in consequence of their rents being withheld by their tenants. A friend of his had told him that he had met a landlord who, after consulting him as a doctor, told him he could not pay him his fee, as he was reduced to want through his rent being unjustly withheld from him. If a landlord who evicted a tenant because he could not pay was guilty of the most heinous crime, he knew no language that was too strong to condemn the conduct of those who had money in their pockets, but refused to pay their just debts. He, for one, would never do anything else than denounce the conduct of hon. Gentlemen opposite who had stimulated tenants in a course of dishonesty. The hon. Member for Limerick County (Mr. Synan) had joined the Party led by the hon. Member for the City of Cork (Mr. Parnell), and a short time ago his tenants asked him to concede what it was said they wanted—Griffith's valuation. He consented at once; but his tenants would not pay; then he issued processes against three large tenants who could pay, but who dishonestly refused to pay by the advice of the Land League. For doing that he was denounced in very strong language by a reverend gentleman. The hon. Member only last week wrote a letter to the accuser, stating that he believed he made the accusation of harsh conduct on his part in profound ignorance of the facts, and explaining that he had laid out large sums of money on the tenants' farms, but could not get payment of his rents. He had never heard of a more temperate letter than that under the circumstances, nor of a letter showing more conclusively what were the real aims and objects of those who were directing that agitation. The case was so typical of what was going on, and so important, that he would trouble the House with reading the letter itself. It was dated last week, and addressed to the Rev. Eugene Sheehy—

> "Rev. and Dear Sir,—I find, in the report of the Kilmallock meeting on Sunday last, 'that you charge me with causing writs to be served thickly on my tenants near Manister, and that the task was not unpleasant to me.' My opinion of you as an able, patriotic, and just clergyman is such that I believe you made this statement under a misapprehension and ignorance of the facts. I therefore feel it my duty, for your sake as well as my own defence, to put the facts before you. Last October, my agent asked whether I would grant the request of the tenants to pay Griffith's valuation, to which I at once consented. After five months the rent was not paid, and my agent had to select three of the principal tenants for proceedings to compel payment of what they themselves proposed. One of these tenants, three years ago, paid to another tenant £950 for the interest in his holding. A second held under a lease at £30 a farm of 60 acres, upon which I expended £700 since the lease was made, and for which I pay £37 10*s.* a-year drainage interest; so that I am actually a loser of £7 10*s.* a-year. The third has a farm of 50 acres under a lease, and upon this I have expended over £700 since the lease was made. Are the tenants, who refused to perform their own promise to pay Griffith's valuation, in the wrong? Or is my agent in the wrong for being obliged, unwillingly, after five months to take proceedings to compel them? I have no doubt of your answer, and remain, Rev. and Dear Sir, very faithfully yours,
>
> "E. J. SYNAN."

It would be seen, therefore, that the League sought to induce persons, first of all, to ask for Griffith's valuation; and when that was given to refuse to pay any rent at all. It was the most dishonest, the most demoralizing, and the most un-Christian agitation that he had ever known. He had mentioned these things because he wanted to put the House in possession of the estimate which they ought to place on the abstention of hon. Members opposite from supporting the Bill. They knew very well that it was a just Bill in the main; that it offered to the tenants far more than the tenants had ever dreamt of obtaining; and if it were passed, and if it were amended, as he trusted it would be, it would for ever settle the Land Question. But when the Land Question was settled Othello's occupation would be gone. He had never spoken to an Irish farmer by himself without finding that all he asked was to have a fair rent, and not to be disturbed in his holding as long as he paid that rent. But the Irish farmers had been taught that to obtain that they must combine for ends that were immoral in themselves and demoralizing to the country. ["No!"] Did any hon. Gentleman say it was not immoral for the tenants to refuse to pay any rent, even when they could afford it, to landlords who were as virtuous as the tenants, and most of whom had always performed their duties? If a poor tenant could not pay, he said it was immoral for the landlord to turn him out of his holding, and he had last year advocated a measure which would have altogether prevented evictions for a year under a certain amount—£50—until the present Bill had passed. That measure was not accepted by the House, nor adopted by the Government. But the Compensation for Disturbance Bill was introduced by the Government, and thrown out by the House of Lords. What was the course of hon. Members opposite in regard to that Bill? The hon. Member for the City of Cork repeatedly stated that that Bill was not worth the paper on which it was written. [MR. PARNELL: I never said anything of the sort.] The hon. Member repeatedly said the Bill was perfectly worthless, and he gave it no assistance. Did the hon. Member suppose that people had no memories? When the Bill was rejected by the House of Lords that was made the stalking-horse of that pestilent agitation. It would be the same thing with the present Bill. Some hon. Members opposite were too noble-minded to accept such tactics as that. The hon. Member and his Party, as they had been told, were to walk out of the House on the second reading. What was the object of that but to damage the measure in the House of Lords and get the House of Lords to repeat its action of last year? Hon. Gentlemen who usually acted with the hon. Member could swallow a good deal; but they could not swallow that, and they would vote for the Bill. If the Bill were thrown out by the machinations of the hon. Member the result would be that everything would be put on the House of Lords and on Parliament, and the country would be still more agitated next year, and life would be more unsafe than it was now. He knew what it was to live among an excited population in Ireland. Until lately his own people had treated him like a brother, and nothing but words of blessing had any member of his family received from them. But now that part of the country was stained by agrarian crime, and had been the scene of some of the foulest deeds. The truth was, the Celtic nature was something like the Hindoo nature. The mild and gentle Hindoo, who took care of children and performed domestic offices for the Europeans in India, when once excited at the time of the Mutiny, was guilty of the most dreadful atrocities. And so it was that the Celtic nature, affectionate, clinging, religious, was yet exceedingly excitable; and thus the more responsibility rested on those who, knowing those qualities, made use of their superior position, and of their education, and of the money which they wrung from the hard earnings of the poor, to excite them to do deeds which were foreign to their nature and dishonouring to the Irish character.

Mr. PLUNKET said, he would not stand more than a short time between the House and the eloquent speech which they would, no doubt, soon hear from the hon. and learned Member for Meath (Mr. A. M. Sullivan). But, under all the circumstances of the case, representing as he did classes in Ireland who had not many to speak for them in that Assembly, he was sure the House would kindly indulge him for a brief space while he offered some observations in a spirit, he was sorry to say, less complimentary on the whole to the Bill under discussion than previous speeches which had been delivered that evening. The hon. Member for the County Cork (Mr. Shaw), in his conciliatory and discreet address, had invited all Irish Members, of whatever Party, to join with him in facilitating the passing of that measure, which seemed to him calculated to confer a great advantage on their common country, and to effect a final settlement. If he could join with the hon. Member in that opinion, he should indeed be prepared to make great efforts for so high a purpose; but, unfortunately, he could not agree with him. Nor was it easy for one placed as he was to even approach the treatment of this subject with perfect calmness. He could not forget what had happened during the last 12 months. He could not forget that little more than a year ago there was in Ireland comparative tranquillity, although that unhappy country, and the poor people there, were afflicted by severe distress. Twelve months had passed away; and now, in the midst of a good season, there was something, even at this day, approaching civil war in Ireland. Believing, as he did, that however excellent the intentions of the Government, it was to their conduct that must be attributed the excesses which had disgraced Ireland—to their weakness, to the faults of their Administration, that it was their "hit-him-and-hold-him" policy which had exasperated and excited the Irish people—believing all that, he said, when he was called upon calmly to discuss the Bill now offered to them for their acceptance, it was not an invitation easy to accept. Furthermore, he believed that there were within the Bill propositions and principles which were vicious in themselves, and disastrous in their consequences to those whom he was sent there to represent; and he was convinced that their ultimate results must prove injurious even to the tenantry themselves. It was presented to them in this guise — "Something must be done; will you accept the responsibility of rejecting this measure?" So that one felt it was almost equally dangerous to support the Bill or oppose it, to accept or reject it. Besides these difficulties, this measure was proposed at a time when whatever was done would confer the least advantages on the people, who were not in a frame of mind and temper to receive the Bill in that spirit in which, no doubt, it was brought forward by the Government. Nevertheless, he admitted the gravity of the crisis, and he should endeavour, as far as in him lay, to approach it in no partizan or factious spirit; it was, therefore, to him a great satisfaction that there was a very considerable portion of the Bill which he, for one, could heartily support. In the first place, as regarded the scheme for the creation of peasant proprietors. He had always been a supporter of that policy. He believed that it would give solidity and steadiness to society in Ireland if there were an increase of yeoman farmers. There were, of course, considerable difficulties in the way. One great advantage which he had always seen in the proposal was that it would come into operation at the time when estates were about to be sold. He did not mean to say that this was an experiment likely to turn out well in every case. It was, however, just at the moment when properties were changing hands that the scheme, which was so honourably connected with the name of the Chancellor of the Duchy of Lancaster in the Act of 1870, and which was now introduced somewhat altered into the present Bill, would come into operation; and he thought it was well worth while to run some risk to try such an experiment at such a time as that. He thought that advantages were now offered for doing so which certainly had not arisen before; for when an estate came into the market they might find a great many tenants who were solvent and capable in every way of becoming yeoman farmers, but they would find also a certain number of weaker brethren—tenants too poor to enable them to achieve that position. The latter class could not be and ought not to be converted into peasant proprietors. But under the Bill, as he understood it, the same Commissioners who were to have charge of this business of creating peasant proprietors were also to have under their charge opportunities for carrying out a great scheme of emigration. Now, if they could induce a certain number of families representing these very small holdings to emigrate, they would not only relieve the estate from overcrowding, but they would be able to add the farms of those who went to the holdings of those who remained, and thus enable the latter to become solvent yeoman farmers. He thought that would be a great advantage, and he rejoiced exceedingly to know that the opposition which had been raised against emigration seemed to be fading away. He fully respected the objections entertained by some to emigration under the old system, because if individuals went from Ireland to America they often got lost in the great cities, and it was natural that those charged with their morals at home felt strongly on this point. Also, no doubt, the circumstances under which that emigration was conducted were very painful in the mere process of transferring people from Ireland to America. But under this Bill he hoped it would be very different. They ought to be enabled to take with them into their new homes the habits and practices of their old homes. With respect to emigration, he agreed with what had fallen from his hon. Friend that it was the only means of dealing with that deep-seated evil which had been described by one of the witnesses examined by the Bessborough Commission as the "cancer of disaffection in Ireland." It was in those districts along the seaboard of the Atlantic where the people were crowded together in the most wretched circumstances of poverty and destitution that the agitation was first begun—rather more than a year ago—and there it grew and spread with the greatest vigour. He was sure that House was well acquainted with the descriptions given of the miserable state of the Irish people who were massed along the West, North-West, and South-West of Ireland. But, no matter how vividly those things were described, unless figures were given, Englishmen felt, he was afraid, a certain degree of suspicion with regard to the eloquent statements made by his countrymen, and, therefore, he had been at the pains of putting together a few figures which, he thought, would a little astonish the House. He would take the County Mayo, whose people he knew well. In ordinary times they were a light-hearted, easy-going people, and wonderfully patient considering their hard lot. He wished to compare for a few minutes the state of society in Mayo with the state of things in Armagh. He took these two counties, because in both there was an immense number of small holdings, the percentage in Armagh being even greater than that in Mayo. In the former the percentage was 67·8; in Mayo, 57·4. Yet in one county there was comparative prosperity, in the other great distress. He wished to call attention to this and other special circumstances, because the first idea people had was that if the Land Laws only were altered all would be well. But the House would now see that a mere change in the Land Laws would not have produced the comfort and contentment which were to be found in the one case and not in the other. In Armagh the percentage of waste land was 10·6, and in Mayo 46 of the whole land of the county. In Armagh the average valuation per acre was 26*s.* 9*d.*; in Mayo, 4*s.* 9*d.*; the percentage of families engaged in agricultural pursuits was, in Armagh, 55; in Mayo, 78. In Armagh the percentage of those who could neither read nor write was 30·4; in Mayo, 57·4. Not only that, but in Mayo there was a large proportion of migratory labourers who were in the habit of going across the Channel to seek work in England, and whose return empty-handed last autumn had added much to the discontent of their districts. If those people emigrated to America, and especially under the scheme of the Bill to Canada, they might exchange their miserable condition for one of happiness and prosperity. With the permission of the House, he would read a passage from a letter from Lord Dufferin, in which the noble Lord spoke of having seen—

> "An immeasurable sea of corn, clothing with its golden expanse what two years before had been a desolate prairie—the home of the lynx and the jackal—simply through the exertions of a small Russian colony that had run up their shanties in that favoured land. In the neighbourhood," his Lordship said, "was an Irish settlement, containing many descendants of the cottier peasantry, who had fled from the Famine of 1846, now converted into happy, loyal, and contented yeomen. Instinctively my mind reverted to the sights it had seen in Mayo, Connemara, and Galway in 1848. Strange to say, the appearance of the horizon was in each case identical. Its verge stood out against the setting sun like the teeth of a saw; but in Ireland this impression was produced by the gable ends of deserted cottages, in Manitoba by the long line of corn-stacks which sheltered every homestead."

It would be a wrong and cruel thing to persuade people in such a condition to stay at home instead of emigrating, so as to realize for themselves the prosperity which he had described. Therefore, so far as that part of the proposal was concerned, he was able to give it his most entire sympathy. As to reclamation, he would be glad to see as much of it as was possible. His only fear was that it would be impossible to carry it out to any great extent with success. No doubt, there was plenty of waste land in the country; but a great deal of it was absolutely incapable of reclamation—large tracts of stony waste was impossible to cultivate as would be the pavement of London. But, as far as it was possible to reclaim those lands by any scheme, by all means let the Government encourage it. In the parts of the Bill of which he had been speaking, he had very little to find fault with. But, turning from those proposals which the Secretary for India had spoken of as the proposals which were intended to bring about the permanent amelioration of the country, to those which had been described as intended to bridge over the interval between the old state of the things and the new, he was sorry to say, that giving to those parts of the Bill the best attention he could, he found great difficulty in understanding them; but, as far as he did understand them, he considered that they contained principles which were vicious in their character, and would be fatal in their consequence. With the permission of the House, he would make a few observations upon them. His chief object was to fix the attention of the House upon one single clause—he might say a single line of the Bill. He alluded, of course, to the proposal for fixing fair rents, and what he wanted was to obtain, if possible, a clear statement of the meaning of that proposal. Had such a statement been forthcoming sooner much time would have been saved. Various views of the construction to be put upon the clause had been suggested, and it was impossible that all of them could be right. He hoped, therefore, that the difficulty would be clearly explained away before the end of that Sitting. The construction which he put upon the clause was the same as that propounded by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson). His right hon. and learned Colleague had attached a definite meaning to the clause, and challenged contradiction, and no contradiction had been offered. [The ATTORNEY GENERAL for IRELAND (Mr. Law) dissented.] He was perfectly aware that the Chief Secretary to the Lord Lieutenant had said that the proposal was not a proposal to reduce the existing rents by one-third. But that was not the meaning which his right hon. and learned Friend had attached to it. His right hon. and learned Friend's construction of the clause was that "the tenant would be at once credited as if he had paid a fine to the landlord for a diminution of the fair rent to the extent of one-third." With regard to the question of fair rent, he would like to know how it was to be ascertained? He would pass by the proposed mode of ascertaining the rent on estates where the Ulster Custom, or similar usages, existed; though even in those cases he did not understand how the clause could be enforced without the tenant right, in many instances, eating up the rent altogether. He wished to draw particular attention to that which was provided in the case of estates on which there was no Ulster Custom. The clause said—

> "The tenant's interest is to be estimated with reference to the scale of compensation for disturbance by this Act provided."

The scale of compensation for disturbance was provided to compensate the loss sustained by a tenant who had actually been ejected capriciously from his holding. This Bill, however, said that that scale was to be applied for measuring the rent of a tenant who had not been evicted, was not about to be evicted, and who, once this Bill became law, could never be evicted. Surely there was no connection between two such cases. The only explanation that he could give of this position was by following up an illustration which was used by Lord Sherbrooke in the debate on the Land Bill of 1870. The noble Lord, who then sat in the House of Commons, compared this compensation for disturbance to damages in an action for breach of promise of marriage. Let them assume that by Act of Parliament it had been provided that in the case of a breach the damages should be assessed up to a third of the man's property; he then asked the House to imagine that by another Bill it should be proposed that, in the case of no breach being committed, but, on the contrary, at the moment when the marriage was about to be solemnized, the lady would have a right to demand that a third of her husband's property should be settled upon her. He could not anticipate the explanation that would be offered; but he thought he had a right seriously to ask how it was that the compensation for disturbance was taken as the measure of the tenant's right? In introducing the Bill, the Prime Minister said that what the tenant had a right to assign according to the present law was not worth giving or receiving; and then proceeded to recite the scale of compensation for disturbance, observing that under the Act of 1870 the tenant right had become something sensible. He wanted to know whether by the Act of 1870 the tenants acquired any right of which they could dispose by sale? No doubt, a right could be created by an Act of Parliament; but he could not admit that it existed at the present time, nor could it even in theory be supposed to exist unless there was admitted to be a joint property in the land enjoyed by both the landlord, who had bought or inherited the property, and the tenant who held the land by reason of the payment of rent. Surely a scale of compensation for the present landowners must be fixed if the matter was to be settled by Act of Parliament. No one would contend that the right existed before the Act of 1870, nor would anyone hold that the right was not carefully excluded from the clauses of that Bill. He repeated that he could not understand how a man could be enabled to transfer by sale any part of another man's property, that man being his landlord, unless it was done under an Act which gave tenants joint property with their landlords; and he could not take that as being in any way a part of the provisions of the Act of 1870. Mr. Butt, writing in his admirable treatise on this subject, said—

> "These illustrations appear clearly to show that any principle of measurement which would directly or indirectly introduce into the estimate any consideration of the interest which the tenant had in his holding when served with notice to quit, would be opposed to the whole principle on which the Act is framed. This objection is fatal to any suggestion of measuring the compensation by any analogy or reference to the price which, before his eviction, he could have obtained for his tenant right or goodwill."

So when Mr. Butt was framing clauses for his tenant right Bill, he said nothing about this supposed tenant right created by the clauses with respect to compensation for disturbance. In the Land Bills introduced in 1877 and 1878, Mr. Butt said a fair rent was—

> "That which a solvent and responsible tenant could afford to pay fairly and without collusion for the premises, after deducting from such rent the addition to the letting value of the premises by any improvements made by the tenant or his predecessors, in respect of which the tenant on quitting his farm would be entitled to compensation for his improvements under the provisions of the Land Act."

Another question which he would like to ask was this—Was it not necessary for the Court, if it was to have reference to the scale of compensation for disturbance at all, to have reference to the maximum of the scale? As far as he understood, the Court could regard nothing else. He could not understand on what consideration the Court could fix, so to speak, on any rung of the ladder of compensation but the highest. When an eviction had under the Act of 1870 actually taken place, all the circumstances which made up the loss could be realized by the Court; but this was a case in which there was no eviction. Well, then, was the maximum of the scale to be taken; and, if not, why not? What were to be the considerations for cutting down the maximum of the scale? The hon. and learned Member for Meath (Mr. Sullivan) had said in his pamphlet explaining the Bill that if a man had been a long time in a holding that would make a difference. That might be a good reason for giving him compensation for disturbance; but the landlord was not going to turn him out; if he went out it would be of his own free will. Suppose, in the illustration he had given before, the lady were to say, "I have so long kept company with this gentleman that my feelings are greatly lacerated, and I claim the highest damages to soothe my anguish." That would be all very well if the gentleman were leaving her; but, according to the plan of this Bill, it was the lady who was leaving him—and leaving the home of their married life all the poorer by taking this compensation away. But the proposal had been defended on a different ground. The Chief Secretary for Ireland (Mr. W. E. Forster), when speaking to his constituents at Bradford the night before, said that outside Ulster there was a tenant right which, though not acknowledged by law, had been acknowledged by custom, by traditional sentiment, and by good landlords. The impression in the mind of the Chief Secretary derived from the Report of the Bessborough Commission was that in certain parts of the country, and in certain circumstances, there was that traditional sentiment. But surely they were not going to base the settlement of the Land Question in Ireland on traditional sentiment. That would be rather a weak foundation. There was, he believed, in some islands in the Pacific Ocean a traditional sentiment in favour of cannibalism where the flesh hunger was very strong, but that was no reason for giving such a custom the force of law. The right hon. Gentleman said that good landlords allowed the custom. In certain cases, no doubt, landlords in Ireland kept their rents very low; but he by no means admitted that in anything like a majority of cases they admitted tenant right, even if they kept their rents considerably below the highest market price. And now it was proposed to place those men under an obligation to allow the tenant a share in their landlord's property equal to seven years' rent. Why should such an obligation be imposed? In the case of landlords who had always charged a low rent it might be asked why they had never charged more? The answer was that they wanted from their tenants gratitude for favours past, certainly—perhaps, too, for favours to come—because it was only by such means and such influence that the tenants could be induced to do what was best for themselves, as well as the interests of the landlords. Only by such pressure could subdivision and bad farming be prevented. For such and similar reasons they had often wiped off arrears of rent, rather than allow tenant right to grow on their property. And for mere commercial reasons, also, many landlords had kept their rents low, with the idea that after a long period of friendly relations with their tenantry, they might reach a better time when, as the country advanced, it would be possible to ask a full and fair rent for their land just as men did in England. He wanted to know if it was the intention of the Government to take advantage of these feelings of kindness and forbearance on the part of the landlord, in order to turn them into a saleable commodity, subtracting it from the saleable interest of the landlord? He would refer to one point more, and one only. He would ask where the idea of tenant right came from, and where it was germinated? As he understood it, it arose in this way. Many hon. Members would remember that when the Land Act of 1870 was passing through Parliament, many schemes were proposed which had for their object to apply the Ulster tenant right to the rest of Ireland. It was in an Amendment proposed by the late Sir John Gray that a suggestion first appeared which proposed that in parts of Ireland where there was no Ulster or corresponding custom, and where the tenant was not able to pay all the sum for his holding, he might pay a part of it, and add any such considerations as he could show in the way of improvements where executed by him, or which he undertook to execute. But there was at first no reference to any right arising out of the claim for compensation for disturbance under the 3rd clause of the Land Act. That was suggested to the authors of the Longfield scheme by the hon. and learned Member for Meath (Mr. Sullivan), and that was the germ of the idea which was now to be used for the purpose of creating a tenant right over a great part of Ireland where no such custom had hitherto prevailed. He must thank the House for patiently hearing his attempt to place the arguments against the Bill in a popular form; but he believed he had started objections which, if fully and fairly answered, would give more information to the House than they had at present. What was the difficulty which lay in the way of extending to other parts of Ireland the Ulster tenant right when it was attempted to introduce it as a rival plan to that of the Land Act of 1870? It was again and again suggested—indeed, it was on such an alternative scheme, if he remembered rightly, that the division on the second reading of the Land Bill was taken. The late Sir John Gray took a division, he believed, on that very point. But what was the difficulty which lay in the way of extending the Ulster tenant right to the rest of Ireland? Mr. Chichester Fortescue had said—

> "In the next place, the Ulster tenants who possess these claims had actually paid sums of money for the enjoyment of their holdings on entering into possession. What I wish to suggest for consideration is whether it is possible, by the mere words of a statute, and by the fiat of Parliament, to create such a custom as this? For instance, you can give a tenant who has paid a large sum of money upon entering his holding a similar claim upon leaving it, and we do this whenever the case arises all over Ireland. But can you give a tenant who has paid nothing upon entering his holding the same claim as you give to a tenant who has paid a large sum of money?"

And the Prime Minister spoke to the same effect. The present measure purported to be founded upon the Ulster Custom; but the fact was, that, unfortunately, the rest of Ireland was not so wealthy as Ulster, and there were a multitude of tenants who might not be able to give any valuable consideration for that joint share in the future partnership, which was the true character of the custom which the Bill was about to make. They had nothing to give. The Ulster tenant gave, or had given, money. The tenant in the South might give money, if he had it, or he might make it up by improvements which he had himself put on the land; but if he had neither money nor improvements, the difficulty arose—What was he to sell under the clause for free sale? The Prime Minister, in his opening statement, said that the assumption underlying all his argument was that the tenant should have something to sell. But what was it that the tenant had in all cases to sell? Of course, Parliament, if it liked, might take from the Irish landlords a certain proportion of the property which was theirs, and confer it on the tenants; but if they did that, the landlords must be compensated. That was quite clear. If that was to be the intention and principle of that Bill, let it be acknowledged openly and fairly; let it be done in such a way that the landlords might have an opportunity of submitting to that House and to the people of England their claims for compensation. He thanked the House exceedingly for their attention. He was afraid he had taken longer than he ought; but the Bill deserved, and would no doubt receive, full explanation on the points he had raised. If those points were clearly explained by the Government, he believed it would greatly facilitate the progress of the measure.

MR. A. M. SULLIVAN said, he was sorry if, just now, he appeared to stand between the House and the right hon. and learned Gentleman, who had contributed to the debate a speech marked by his usual ability and by more than his wonted moderation. He, however, was desirous of offering a few words, chiefly in reply to some observations of the hon. Member for Galway County (Mr. Mitchell Henry), who had now gone to seek that repose which many hon. Members were seeking during the earlier portion of his address. It was only when the hon. Gentleman turned from a really sensible and practical discussion of the Bill to an attack upon his fellow-countrymen that the House waked up; and of four hon. Gentleman who were slumbering on the Bench before him, only one—the hon. and learned Member for Donegal—remained impervious to that portion of the speech. It was very acceptable to many hon. Members to find the debate interrupted and precious time wasted by a swinging attack on the Land League and its Representatives in that House. But he should have expected that the hon. Member for Galway County (Mr. Mitchell Henry) would have remembered two things on that subject—first, that he was addressing an audience who, not from any wilful prejudice or love of injustice, but from very natural and easily-understood proclivities, would cheer to the echo any statement representing in the most damaging light the words and actions of his hon. Friends around him. Neither in this House nor out of it had he (Mr. A. M. Sullivan) ever attempted to justify all that had been said and done in the name of the Irish National Land League. He could not do it, any more than he could set himself to vindicate the action or the language of some men who seemed bereft almost of reason by wrong and outrage and despair. That agitation, which to many hon. Gentlemen representing English counties seemed so wicked and so censurable, he had never looked upon at all as an ordinary political movement. He regarded it rather as an angry, maddened uprising of the people, turning at last, after long years of bitter suffering and grievous wrong. His hon. Friend was too accurate a student of European history to deny this fact—that never in any country had a large population taken a course like that, although it might result in the most beneficent circumstances, without deplorable scenes, language to be reprobated, and actions to be regretted. He advised his hon. Friend to take a larger and a broader view of what was now passing in Ireland, and to hope with him (Mr. Sullivan)——while regarding unfavourably much that had passed in that country, but regarding it more as a matter of misfortune than of accusation against men who had at last taken into their own rude and rough and passionate hands the duty of setting themselves right. He knew his hon. Friend too well not to know that underneath his occasional ebullitions of warm temper there existed a kindly nature and a warm heart; and he would invite his hon. Friend to ask himself this question, Where would that people be to-day but for the Land League—where would the Land Question be in this House but for the action of the knot of men whom his hon. Friend condemned? He had the pleasure of supporting his hon. Friend in 1874, 1875, and 1876, in those debates when his hon. Friend propounded to deaf ears a more moderate proposition than the Bill now before the House; and he would only ask, if calm reason and fair argument could prevail with all this passion in Ireland, why did it not prevail at that period? But inasmuch as the course which they then took availed them nothing, could they wonder that the people of Ireland should at last have risen in the manner they had done, and brought the land agitation to the front of the British nation? However, he hoped that, notwithstanding the very provocative nature of the speech of his hon. Friend, that the debate would be conducted to its close without recriminations. Up to the present, beginning with the speech of the right hon. and learned Gentleman (Mr. Gibson), the debate had been conducted with a moderation and fairness that never could have been apprehended, considering how combustible a subject they had had to discuss. When he recollected the passions inflamed in his own country, the deep pecuniary interests involved, not only in Ireland but here, and the natural prejudices of classes in this country who were unable to comprehend the question as it should be studied in Ireland, he confessed himself astonished at the spirit, the fair spirit on the whole, in which the debate had been conducted. He reminded the House that no one who had spoken upon this subject, either inside that House or out of it—although the Bill had been severely attacked from the side of the hon. Member for Galway County (Mr. Mitchell Henry), and from the side of the Opposition Bench—had attempted to say that nothing should be done in this matter. Let hon. Members realize the fact that the question had to do with the actual practical politics of the hour—with the circumstances around them—and that it had become a necessity for Her Majesty's Government to come forward with some proposition for settling the terrible problem that had so long decimated Ireland. There were three ways of solving it. First, there was the plan of freedom of contract, as it was called. Now, his hon. and learned Friend the Member for Chatham (Mr. Gorst) cheered that observation, and approved of freedom of contract—that was to say, that the landlord and tenant should be left face to face to make the best terms they could one with another, no law intervening. Another proposition was the compulsory expropriation of all landlords—sweeping landlordism away as an institution of the country. That, he said, was the demand of a large portion—of the immense majority—of the people of Ireland that day. Her Majesty's Government seemed to think it possible to find a middle course between these two, and brought forward a Bill which avoided compulsory expropriation, but did not subscribe to the doctrine of freedom of contract between landlord and tenant. As to freedom of contract, he could assure his hon. and learned Friend that his brother Conservatives from Ireland had long since given up all idea of establishing the latter, and that it was all too late for Conservative Gentlemen in that House to start that doctrine. Those hon. Gentlemen came there, microscope in hand, so to speak, and examined the provisions of this Bill from the standpoint of freedom of contract, and upon which theme they were ready to say many witty things. But there was no freedom of contract relating to land recognized by the statutes; and he repeated, they spoke too late, because, so long ago as 1845, Lord Stanley was the first in that House to make a proposition which had led on to the position in which they now stood with regard to the Irish Land Question. He asked those hon. Members who came forward with the freedom of contract proposition now to study what had been done in the Land Question since 1835, and a very few hours' study in the Library would show them that freedom of contract had gone beyond recall. In 1845, which was after the Devon Commission, Lord Stanley proposed for the first time in that House that a public functionary should intervene between the weak and the strong—between the landlord and tenant in Ireland—and his plan was that there should be a State Commissioner to judge of and to authorize improvements effected by the tenant, so that the tenant might be paid for the improvements effected on his farm, if evicted, and on the declaration of the Commissioner that those improvements had been wise and necessary. He asked would hon. Gentlemen accept that proposition now? Why, they all advocated it to-day; but when the proposition of Lord Stanley was made they opposed it in a body, the opposition being led by the Marquess of Clanricarde and Lord Londonderry. A Petition was signed against it as being Communistic and confiscatory by a long list of noble Lords, the Predecessors of those who last year threw out the Compensation for Disturbance Bill. He appealed to his hon. Friend to recollect that if the abolition of landlordism was asked for to-day, the blame lay with that class who resisted in former times every humble effort at reform, cried out "Communism!" when there was no Communism; and who now cried "Wolf, wolf!" when nobody would help them. Again, on the 11th June, 1846, Lord Lincoln, then Chief Secretary for Ireland, brought in an almost similar proposition to that of Lord Stanley. He would remind the occupants of the Front Opposition Bench that he was now quoting the acts of Conservative Statesmen, and that when they talked of objecting to the setting up of a tribunal between the landlord and the tenant, their own Party had given up the question. Lord Lincoln's proposition was that an assistant barrister should take the place of the State functionary. But the Bill was opposed in both Houses of Parliament by the Representatives of the Irish landlords, who were only too successful by means of the cry of Communism and confiscation in carrying with them the vast majority in that House against the demands of simple justice. Coming now to the proposition of the Government, he desired to say that he had never known a public measure of the same magnitude so completely mis-read and so largely misrepresented by two opposing classes. Anyone reading the letters of noble Lords and listening to the sincere speeches of his hon. Friends from Ireland might exclaim, with Pilate—"What is truth?" The main principle of the Bill—for they were really upon the question of the second reading and not in Committee—was that an equitable tribunal should be established in Ireland to stand between the weak and the strong; to do equity between landlord and tenant. And if the tribunal or tribunals were such as would command the confidence of the people of Ireland, instead of being as they were universally reprobated, he believed, in his soul, that this Bill, with the emendations it was likely to receive in Committee, would, in the hands of such tribunals, change the whole surface of Irish society. The practice with regard to the Government proposition was to treat what was possible under the Bill as actual occurrences. For instance, his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson) had told the House that because tenant right in Ulster was sometimes bought up to 28 years' purchase, 28 years' purchase would necessarily be allowed in estimating the value of the tenancy under this Bill. On the other hand, some of his hon. Friends opposite said that under it nothing was to be had except by means of a law-suit. Suppose the case of a Bill to confer trial by jury upon any country; would it not be a monstrous argument to urge against it, that a person might be charged by another, compelled to go into Court and stand his trial, and absolutely convicted by 12 men, although innocent of the charge? Any man who sought to have rights conferred upon him by law, must, of course, take his chance of having those legal rights contested. This system of treating possibilities as actualities had been carried to an unwarrantable extent in criticizing the Bill before the House. The junior Member for the University of Dublin (Mr. Plunket) had reverted to one of the errors furnished by the speech of his Colleague. He had made a calculation to show that the landlords would be robbed. He (Mr. Sullivan) had seen something of this kind in the public Press; and hon. Members, he believed, had also heard something in that House of the millions of money which the Bill was to transfer from the pockets of the landlords to those of the tenants. One might say, with the character in *The Vicar of Wakefield*—"I think I have heard all that before." Ingenious calculations had been put forward to show that £120,000,000 were to be carried from the pockets of the Irish landlords to the pockets of the Irish tenants by the Irish Land Act of 1870. Now, he had asked the Chief Secretary for Ireland at the opening of the debate if he could furnish a Return showing exactly what had been the actual facts, so that the House might contrast with them the calculations of noble Lords and hon. Gentlemen. The right hon. Gentleman was not able to furnish the Return; but, after many days' search, he (Mr. Sullivan) had obtained the figures. The calculation at the time of passing the Act of 1870 was that £120,000,000 would be transferred from the landlords to the tenants—£6,000,000 a-year—or a reduction in the value of landed property to the extent of one-third. Those calculations were made upon the assumption that, at a low average, every one of the 600,000 tenants in Ireland would obtain from the Court £100 for improvements, and £100 for disturbance. He asked if Irish landed property had come down in value after the passing of the Act of 1870? They had a Return for the years 1871, 1872, 1873, included in a Blue Book, without any totals, from which it was impossible to get any information; but he had obtained the totals for every county in Ireland of the number of cases in which claims had been made for improvements and disturbance, together with the amounts decreed during that period. There were, in all, 1,539 cases brought before the Land Courts; the total yearly average number was 513, and the average for every county was just 16 cases in the year. Now, the highest number of claims sent in was from the county of Ulster; the lowest from Kilkenny, which sent six; and the total amount which might have been awarded by the Land Court to the tenants was £461,149. According to the calculations of 1870, all that was possible or sure to be awarded. In the present case, also, with the senior Member for the University of Dublin, the maximum of possibility was to him the minimum of actuality. Well, the tenants might have claimed from the Land Courts under the Act of 1870, £461,149; but how much did they get?—£41,640. The tenants who came into the Land Court, instead of obtaining £200 each, obtained an average of only £27 5*s*. each. Therefore, he put it to the House, whether, in that respect, the Act had not been a mockery, a delusion, and a snare, because the average sum awarded had not even paid the law costs of the wretched tenants? He knew very well that not one of these cases could have been litigated in the Court for £27 5*s.*—he knew that twice £27 5*s.* would not pay the wretched tenant's costs. The difference between the costs as taxed and paid must be taken into account in the average, and that £27 5*s.* sent every tenant out of Court bitterly bewailing the day he had trusted to it. So much for the dreadful calculation of the Front Opposition Bench. But they had treated the House to another—and he had heard it to-night—he referred to the famous conundrum of the Conservatives—"If the property is not to come out of the landlord's pocket, where is it to come from?" Clause 7 had been the chief bone of contention. The right hon. and learned Member who had just sat down (Mr. Plunket) had been as kind and complimentary to him (Mr. A. M. Sullivan) as he was usually genial and kind to them all, and had done him the honour to quote from a pamphlet he had published, giving what had seemed to him an analyzation of the proposals of the Bill, and to allude to what he had given as an example of the way Clause 7 would work. He would undertake to answer to the best of his ability, clearly, the points which the right hon. and learned Gentleman and his much respected Colleague (Mr. Gibson) had put forward on Clause 7. The hon. Member for Cork County (Mr. Shaw) said that under Clause 7 rents would be raised in Ireland. Now, whilst some rents would be cut down, any rent which was under a fair rent would be raised to a fair rent by Clause 7. Any rent which was a rent on which a tenant was charged for his own outlay or interest in the farm would be cut down. He would show how that would be done. Let them take the case of a farm let by a fair, kindly-disposed, live-and-let-live landlord for £100 a-year, yet which, by reason of the tenant's interest, would fetch in the public market, to-morrow, £150—and at a fair price, £150. There were numbers of such farmers in Ireland, for, thank God, there were some good landlords there, though they were, alas! too few. On this point he did not wish to be invidious; but he saw a noble Member of the Government on the Treasury Bench at this moment, on the Irish estates of whose father, he thought, he could find hundreds of tenants who held their farms at fair rents. Take such a case as that he was describing. Here was a farm let for £100, which, if bid for in the market to-morrow, would fetch £150—nay, £160. The Land Court, under Clause 7, must first estimate what was the fair letting value of this farm as it stood, adding together the two amounts—the amount of the landlord's fair interest in the farm, and the amount of the tenant's fair interest. The sum of these two amounts added together would be the fair rent of the farm to an outsider or an incoming tenant. From the sum of these two amounts they would simply take what belonged to the tenant and what belonged to the landlord. He would give an illustration, though he knew how weary the House would be, especially at this hour of the night (12.45 a.m.), of figures. A farm for which £150 would be given was let at £100. The Land Court would be entitled to say—"Under Clause 7, where there are unexhausted and permanent improvements of the value of £250 on a farm like this, the tenant, by reason of the land having been in the occupation of his ancestors and himself for 100 or 200 years, is entitled to another £250 as good will for the occupancy of the farm." That would make £500, and 5 per cent on that would come to £25, which, being deducted from the £150, would leave £125 as a fair rent for the occupying tenant, whereas £150 would be a fair rent for the incoming tenant, because he would have to pay both the interest of the landlord and the interest of the tenant. In this case the tenant would have his rent raised by £25 a-year under Clause 7, because the land was owned by a live-and-let-live landlord, who only asked a small rent. But then take the case—and there were, unfortunately, ten of them for one of those he had just quoted—where the landlord had screwed up the rent by racking and confiscatory additions, and the farm was let for £160. Everyone on the Front Opposition Bench knew that there were hundreds of such cases in Ireland—cases where the rents were over 60 per cent above Griffith's valuation—nay, was not the story common enough in every county in Ireland, "We are paying two Griffith's valuations?" Well, in the case of this rack-rented farm, the tribunal would say, as it said in the other case—"£150 would be a fair rent for even an incoming tenant to pay for this farm." The tenant had the

£25 interest, so they would say—"The rent of this farm shall be £125, in place of £160, to the remaining tenant." Thus it was that an over-rented—a dishonestly rented—farm would have its rental cut down by this equitable system; but every farm in Ireland which was held under what any equitable tribunal would declare to be an honest rent between man and man would be raised in its rental. He said to hon. Friends behind him who differed from him in regard to many parts of the Bill—he would implore them—never let it be said that the Irish tenant asked for a farthing more than justice, nor, not for any compromise, one penny less. A grievous error would be committed on the day when they allowed it to be supposed that the Irish tenant was not satisfied to allow an honest, equitable tribunal to determine whether his claim was fair or not. If hon. Members would not have that, what did they want? Why, they desired that the landlords should be allowed to charge a rent upon the tenants' own sweat, and upon their outlay on their farms. Look at the Blue Books bearing on this question; it was curious, but they would there find it on judicial authority related how this process had gone on in Ireland, how tenants had been charged rent for their own outlay on their own slavery. What could come of such a system as this but the thriftless, miserable, indolent, half-cultivation of Irish farms which rendered all Irish homesteads a mockery and a delusion to all good farmers? He would tell hon. Members that if they held homes like those of the unhappy Irish farmers, all spring and elasticity of nature would be destroyed in them, all hope of future prosperity, all incentive to future industry, would be taken from them, and they would go over their farms in the listless, broken-hearted, idle way that the humble tenants of Ireland did. And why? Because, as soon as they got their land into good cultivation—as soon as they had reclaimed their wild moor and bog-land—they would see the agent come down to "salt" it with rent, as they had heard the hon. and gallant Member for Leitrim (Major O'Beirne) describe. The soil of Ireland had been sown with "salt" of this description, and they saw in the Ireland of to-day what fruit it had borne. Was it too late—was the Government too late with this, their last chance, of enabling the two classes, the tenants and the landlords, to live together in peace and friendliness? Were they, indeed, to be told that the hour had passed for compromise or reconciliation? He knew the tenants of Ireland said it was, and he indulged largely the feelings which had driven them to that ultimatum; but he appealed to-night, though with feeble voice, to the landlords of Ireland who had Representatives in the House. They were offered in this Bill one more chance, and he believed, in his soul, it would be the last. They were offered the choice between this measure and compulsory expropriation. A wiser measure was never devised than that which gave a chance of preserving Irish society as it existed at the present moment. He was not afraid to face the most severe measures for settling this matter, if they could be shown to be necessary. The saving of the people was with him supreme; but, until it was shown to be absolutely necessary to adopt severe measures, he would plead to the last hour for giving a chance to the landlords of Ireland to reconcile themselves with the people around them. He could not look forward with any feelings but those of sadness of heart to the pulling down, as he took it to be, of the social structure in their country which would be involved in the sudden compulsory expropriation of all landlords; but to that it must come, and to that the people were entitled to bring it, if measures of this kind met with unyielding resistance on the floor of the House of Commons from the Representatives of the Irish landlords. He would that anything that such an humble individual as himself could say could enlighten that class and the House generally as to the wealth of kindliness, and affection, and trust, and confidence that they were spurning every day they kept themselves alienated from the people. There lived not on the earth a people more ready than the Irish—except in moments of maddened passion like the present, in which things were said and done that were to be regretted—to repay the kindness and confidence of the class above them, if that class would but be their protectors and their friends. He should watch the course taken by the Representatives of the Irish landlords on Monday night with the greatest anxiety. He did not agree with his hon. Friends who declared it to be their belief—although he did not quarrel with them for entertaining it—that the hour had struck for sweeping the landlord class, in its entirety, away; but if, on Monday night, this class made advances to the Irish people, even after all that had passed, after all these years of misfortune that the people had suffered, he did not see why they could not live in the future in peace and kindliness together. If, however, they met this Bill in the spirit in which similar attempts had been met in the past—in the spirit in which the measure of 1870 was met—and if, the moment legislation took place, they set ingenious laws to work to see how they could filch from the tenantry the protection afforded them, the matter would not be settled, and the last chance of amicable settlement would be gone. For himself, he hoped his hon. Friends, who had been most kind to him in tolerating and taking in good part his difference of opinion with them in this matter, would allow him to say this—that if the measure were met by the Irish landlord class with a frank recognition of its necessity, and with a careful desire to work it in a friendly spirit—in a live-and-let-live spirit—and with an endeavour to import into it Amendments without which he believed in his soul it would be abortive, he knew of no measure in the whole of his experience, or in the whole of the records of the dismal history of their country, that would be more productive of beneficial results. He would not go into minute details, as he objected to make a Committee speech, having condemned it in others; but he would tell the Government, to-night, that unless they could deal with the question of the impending evictions, they would leave untouched a source of deplorable suffering and disaster. He spoke in no antagonism to the Bill. He was ready to give his heartiest efforts in support of the measure, even at the cost of temporary misunderstanding with his countrymen, if they got an undertaking from the Government that the necessary Amendments would be put into the Bill. The necessity of dealing with the impending evictions meant life or death. It was a question of the actual destruction of the homes of thousands of the peasantry, over whom there was now impending a fearful doom, if no protection was provided in the Bill because of the arrears that occurred during the two years of famine and exorbitant rents. The Bill, as it stood, would only enable the poor tenants to obtain sufficient money to pay the landlords the arrears of rent due, and would not extend protection to them—would not keep them in their humble homes. The only other suggestion he would venture to offer was with regard to the tribunal provided by the Bill. He would not say anything personally offensive, or reflecting on the County Court Judges; but he would say this—they were selected originally for such duties as the working of the Land Law, and the result was that the Bill of 1870, in spite of its good intentions, had led to nothing because of the tribunal that had to administer it; and he believed in his soul that if an angel came down from Heaven and drafted a Bill for the purpose of settling this difficult question and put it in the hands of the County Court Judges to administer it, it would become a failure and an abortion—a monument of Ministerial good intention and failure, like the Land Act of 1870. He had spoken in this debate under a deep and, he might sincerely say, a painful sense of the importance of the question. He believed on the Land Question he was the senior Member of the Irish Party in that House since the death of Mr. M'Carthy Downing—unless, indeed, it should be one of the Members for Waterford. He believed he was the only man in the Irish representation who belonged to the Tenant League of 1852, and he spoke of it with feelings of emotion, because he had been in all the struggles, and was acquainted with all the Bills and propositions which had been made on this difficult question. He admitted that some advance had been made since 1852. He conceded that, and would ask hon. Friends behind him to allow him to take this view, as one who had put some years of his life and of his effort into the settlement of this question of the protection of the Irish tenantry. He believed that if the Bill was amended in the way he had suggested, it would depend largely on the landed classes of Ireland whether it was a settlement of the question; and upon those classes he threw the responsibility. He believed the measure was destined to make a new Ireland across the Channel.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Solicitor General for Ireland,*)—put, and *agreed to.*

Debate *further adjourned* till *Monday* next.

## *MOTIONS.*

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

On Motion of Mr. ASHLEY, Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Burghead, Devonport, Folkestone (Central), Penarth, Peterhead, and Sandhaven, *ordered* to be brought in by Mr. ASHLEY and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 161.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (COTTINGHAM, &C.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Cottingham, the Lanchester Joint Hospital District, and the Improvement Act District of Middleton and Tonge, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 162.]

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (BANDON, &C.) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in the towns of Bandon and Bangor, and in the Little Island, in the county of Cork, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 163.]

PARLIAMENTARY REGISTRATION BILL.

On Motion of Mr. BOORD, Bill to amend the Laws relating to the Registration of Parliamentary Voters in England and Wales, *ordered* to be brought in by Mr. BOORD, Mr. ASHTON DILKE, and Mr. GRANTHAM.

Bill *presented,* and read the first time. [Bill 165.]

EXTRAORDINARY TITHE.

Select Committee *nominated :*—Mr. BIDDELL, Mr. COURTNEY, Mr. DUCKHAM, Sir WILLIAM HART DYKE, Sir EDMUND FILMER, Mr. GREGORY, Mr. HARDCASTLE, Mr. HOWARD, Mr. INDERWICK, Mr. STANLEY LEIGHTON, Sir CHARLES MILLS, Mr. SCLATER-BOOTH, Mr. ARTHUR VIVIAN, Mr. WALTER, and Mr. WHITBREAD; Report and Minutes of Evidence of the Select Committee on the Tithe Commutation Amendment Bill, 1873, referred to the Select Committee :—Power to send for persons, papers, and records; Five to be the quorum.

HOUSE OF COMMONS (ACCOMMODATION).

Select Committee *nominated* on House of Commons (Accommodation): — Lord JOHN MANNERS, Sir CHARLES FORSTER, Mr. ONSLOW, Mr. OTWAY, Sir WILLIAM HART DYKE, Mr. RYLANDS, Sir JAMES M'GAREL-HOGG, Mr. RICHARD POWER, and Mr. SHAW LEFEVRE:—Power to send for persons, papers, and records; Three to be the quorum.

House adjourned at a quarter after One o'clock.

# HOUSE OF LORDS,

## *Friday,* 13*th May,* 1881.

MINUTES.]—*Sat First in Parliament*—The Lord Strathspey, after the death of his father.

PUBLIC BILLS—*Second Reading*—Local Government Provisional Orders (Bath, &c.) * (77); Local Government (Highways) Provisional Order (York) * (78); Local Government Provisional Orders (Poor Law) * (79).

*Third Reading*—Inland Revenue Buildings * (73); Municipal Franchise (Scotland) * (55), and *passed.*

### THE LATE EARL OF BEACONSFIELD, K.G.

HER MAJESTY'S ANSWER TO THE ADDRESS.

The Queen's Answer to the Address of Monday last *reported* by the Lord Steward, as follows :—

I HAVE received your Address praying that I will give directions that a monument be erected in the Collegiate Church of St. Peter, Westminster, to the memory of the late Right Hon. the Earl of Beaconsfield, K.G., with an inscription expressing the high sense entertained by the House of Lords of his rare and splendid gifts, and of his devoted labours in Parliament and in great offices of State, and assuring me that you will concur in giving effect to my directions; and I shall give directions in accordance with your Address."

### STATE OF IRELAND—INTIMIDATION AND OUTRAGES.

QUESTION. OBSERVATIONS.

VISCOUNT **MIDLETON**, in rising to call attention to the absence of any effectual check upon the continued intimidation of tenant farmers in Ireland, and to ask Her Majesty's Government, Whether they were prepared to take any and what steps for the better protection of peaceably disposed subjects of Her Majesty? said, it was not his intention to invite any premature discussion on a measure which might hereafter be brought up for consideration in their Lordships' House. He would not allude to the unfortunate feeling which had existed for many months past between landlords and tenants in Ireland. That was sufficiently known; but, without mentioning names, he was about to bring under the notice of the House information on the subject of his Question which he had received from different localities in Ireland. Before doing so, he must direct attention to the fact that, for months past, there had grown up in Ireland a system of unwritten law, which was not the law of the land, but the dictates of which were more exactly carried out than were those of anything to be found on the Statute Book, and the agents of which were more vigilant and successful, because more active, than the legally constituted guardians of the public peace. The manner in which that agency was carried on was simple, but it was at the same time effectual. The Central Land League sent down word that in a particular locality a committee was to be formed. That committee was not representative, but was self-elected, and consisted of shopkeepers, a few farmers, a few men of no ostensible occupation, and sometimes one or two ministers of religion. This committee elected a president and promulgated their decrees, about which there was no secret whatever, and affected not only landowners but all classes of society. It was a mistake to suppose the Land Question was the only one with which these tribunals wished to deal. Their operations had a much wiser ramification. No doubt, the primary object of the Land League committees was to prevent the farmers from paying a certain amount of rent, the proportion differing in different localities; and their next object was to prevent farms which became vacant from being taken up by either landlords or tenants for the purpose of cultivation. But they also prohibited the taking of grazing lands near the smaller country towns, and thereby injured the persons who would be occupiers even more than the owners, for the former could not get suitable grazing lands elsewhere. A short time ago an instance came under his observation in which an attempt was made to establish a butter farm, with the view of the production of better butter; but the tenant farmers were prevented from supplying cream to that farm. Then there was the case of a gentleman who commenced to thin his wood in order to sell fuel; but an edict at once went forth that no one should buy it of him, and as a consequence a large number of men who had been employed in cutting the wood were thrown out of employment. A small farmer who had been employed to sell the wood was warned that if he continued to do so his house would be burnt down. He need not say how stewards and bailiffs, as persons called on to protect their masters' property, were made victims to the discharge of their duty. Shopkeepers who ventured to sell goods to persons obnoxious to the committees were also placed under the ban of the organization. Artizans also suffered from it. At a meeting of the trades of Dublin, it was stated that such was the dearth of work last winter that there never had been so many artizans on the relief lists as during that season. To the labourers of Ireland the loss caused by the operations of the Land League might be put down, not at hundreds, but at hundreds of thousands of pounds. Medical practitioners had been threatened; and he heard of a case in which one of them was afraid to attend a patient to whom he had been called. A name had to be invented for one of the penalties imposed by the Land League, and it was now known as "Boycotting," which was sometimes carried to the extent of gross personal outrage. In the papers of that evening there was an account of an outrage in which one man was shot and another had his ears cut off. How were process-servers dealt with? At first, they were paid double fees for not serving the writs, and that was successful for some time; but when the process-servers had to proceed to make service, they were seized and perhaps thrown into a river. If after that they continued obstinate, they were in some instances subject to torture. Solicitors were deprived of their business if they did an act of professional duty of which the agitators did not approve; auctioneers were commanded not to sell; and so the game was carried on, one class of the community being persecuted after another, till no one knew how far he must consider himself denounced and what were the penalties which he might have to suffer. As to the unfortunate military and police called out to what was called protect the peace, they were stoned. Recently, a police barrack, in which some obnoxious person took refuge, was placed in a state of siege, and the siege was not raised until two companies of soldiers arrived at the spot. He had a letter from a competent authority, who said that in his part of the country every tenant farmer was at the mercy of any blackguard who might think fit to attack him. The writer said that civil war would be preferable to the existing state of things. That was strong language, but he believed it to be true. In no civilized country was it possible to find such a state of things, unless there was, as in the case of the Neapolitan *Camorra*, a secret sympathy between the outlaws and the higher classes of society. If it existed in America it would be put an end to in less than a month by the interposition of a Vigilance Committee; and he believed he was right in saying that some men applied to the Chief Secretary for power to enrol themselves in such a confederacy, but were dismissed with the assurance that such things were not lawful in this country. He wanted, then, to know what was going to be done? There were some things which he hoped would not be said in answer to him that evening. It would be no answer to say that the rejection by that House last Session of the Compensation for Disturbance Bill was the main cause of the existing state of things, because most of the cases to which he had referred occurred in districts which were not scheduled under that Bill. It would be no answer to say that Her Majesty's Government had introduced in "another place" a measure dealing with the land, because that Bill could not become law for two or three months in any case. Then he hoped it would not be said that Her Majesty's Government had done all they could have done for the repression of crime; because, if such a statement were made, he should be obliged to oppose to it a direct negative. He did not impute motives. It had been alleged that Her Majesty's Government had an *arrière pensée* which made them desire the agitation of the Land League as a means of advancing their own Bill. He did not believe that allegation; but it had been publicly made, and ought to be publicly denied by Her Majesty's Government. He believed that the errors of the Government were not of intention, but of judgment. When the Bill for the better protection of life and property was first announced there was an improvement, and it seemed as if happier days were about to arrive in Ireland; but the Land League soon noted the manner in which that Bill was put in force when it became law. The Government had, under that Act, been fiddling with the tail instead of striking at the head. The accounts of outrages which appeared in the public prints were no index to the entire number. He did not hesitate to say that three or four times the number of outrages in excess of those which met the public eye were actually committed. It had been stated in the public Press that a clergyman's house had been fired at; but the public had not been informed that on the same night the house of every farmer in the neighbourhood had been visited by men with blackened faces, who gave commands and warned the inmates that they must take the consequences if those injunctions were not obeyed. He had received an account of a man who was found on the ground with five men standing over him, and who was only saved by the interposition of the parish priest. There was an utter absence of power on the part of the constituted authority. To make the law respected the Government must enforce it; but they were not masters of the country. Those who got their behests carried out were the masters, and that was the point to which he wished more particularly to direct their Lordships' attention. It might be said that he ought to offer some suggestions. He would do so. He fully recognized the difficulties of the Government; but he thought that in some cases the police did not back up the magistrates, and in others the magistrates did not back up the police. Now, the stipendiary magistrates did not always reside in their own districts. He would suggest that they should do so, and as near the centres of their districts as possible. He would further suggest that the number of stipendiary magistrates should be increased *ad hoc* by investing special magistrates with the commission. There were numbers of half-pay officers who would be found ready to accept such temporary appointments. He would suggest that there should be a little more stimulus applied to the police in respect of arresting participators in riots, and a little more encouragement given to them when they made such arrests. He had been informed of an attack on a house next a police barrack made by persons whose faces were well known, and yet no arrest was made for that riot until several weeks after the occurrence. He assured their Lordships that he had not taken selected cases in the instances which he had mentioned to their Lordships; and when he made his appeal he did so to a Cabinet, two of whose Members had filled with credit to themselves and advantage to the country the Office of Lord Lieutenant of Ireland, and three of whose Members had filled the post of Chief Secretary. Those Members of the Cabinet must know the danger of the combustion. He, therefore, appealed to the Government to see the law put in force, which they only could administer effectually, and break down the power of an organization which set at defiance the law, to protect persons from its crushing and grinding tyranny, and to put an end to a state of things which was intolerable, and to which, he feared, posterity would point as the shame and scandal of the age in which they lived.

LORD STANLEY OF ALDERLEY wished to know whether the Government would contradict the statement that had been recently made as to a compact or understanding between Mr. Gladstone and Mr. Parnell? It had been believed for some time before that statement was made that such was the case; and the Irish Executive had boasted that for the first time in the State trials the jury had not been packed, but one of the jurors had subscribed £10 to the Parnell Defence Fund, and, though this was known to the Law Officers of the Crown, he was not challenged. He also thought that Mr. John Bright, as a Member of the Government and a Quaker, and therefore specially pledged to secure peace amongst men, was in a large measure responsible for the existing state of affairs in having said and written things—as in his letter to Lord Carnarvon, in which he chuckled at the fact that "many landlords were running for their lives"—which must have had the effect of leading the people of Ireland to suppose that the Government sympathized, not only with agitation, but with outrage? He thought the Government ought to give an explanation of that letter.

THE DUKE OF MARLBOROUGH said, he regarded the question before the House as one of deep importance. It was remarkable that on every other occasion when Parliament felt bound to pass an Act for the better protection of life and property in Ireland, that action was followed by a sensible and steady diminution of crime in that country; but the result of the passing of the recent Act of that kind had been exactly the contrary. The Returns presented to Parliament showed that in January last, before the passing of the Coercion Act, the reported number of outrages was 439; in February they had diminished to 170, and in March to 146; but they had risen in April, when the Act was in force, to 295, and there was no apparent diminution in their frequency at the present time. He quite agreed that after the passing of the Protection of Life and Property Bill, such a state of things was very significant and very alarming. It would be remembered that though the Government had announced remedial legislation, they declined to introduce it until the measure for the protection of life and property were disposed of. They did so on the very proper ground that Parliament should not legislate remedially under terrorism. The first effect of the Protection of Life and Property Act, however, as he had shown, vanished in less than three months, and the outrages increased by 100 per cent. Now, that was a fact to which the attention of the Government ought earnestly to be called. No doubt, his noble Friend (Viscount Midleton) had shown the immediate cause of the outrages in Ireland; but he would venture to point out another reason. The public were told by the Chief Secretary to the Lord Lieutenant that the Act for the Better Protection of Life and Property was one to put down terrorism by terror. The right hon. Gentleman said it would put down by terror the village ruffians. He asked their Lordships whether effect had been given to that statement? He did not impute any unworthy motive to the Government. He thought their fault was an error of judgment—of kindness amounting to weakness. Their system was one of kicks and kisses. The coercion had been of so mild, so velvety a character, that it almost made agitators seek the shelter of prisons in which they were so well provided for. The first Return of arrests under the Act of 1879 was nine; the first under the Act of the present Session was 35; but more persons had been arrested since. Under the mild prison rules and regulations applied to the Land League prisoners, these persons were allowed to enjoy exercise together within the prison walls. Then they had six hours' communication at other times of the day. Looking at the character of those prisoners—and they must be of notorious bad character, or they would not have been arrested—it was a great mistake to put them together in one prison. They had all the comforts of a Fenian Club; and now that they had got their Chief (Mr. John Dillon) with them, it might be expected that they would hatch future conspiracies to the sore detriment and misfortune of the country. He must say that the adoption of such rules, relaxing prison discipline to such an extent as they had, was a great mistake on the part of the Government. The ramifications of this Land League conspiracy were almost universal; and who could doubt that there were out of prison persons just as guilty as those who were already in prison. Since the passing of the Act there had been a number of Land League meetings in various parts of the country. If it were necessary to strike terror into those people, why had not the Government at one stroke swept into prison a large number of the people who acted as organizers at these Land League assemblages as soon as they got the requisite information, which, as the Executive, they ought to have been in possession of? This pointed to an important consideration, with regard to the question of the supply of information—was it adequate, as obtained from the constabulary, and from the resident magistrates, to enable the Government to put the law into force? It had been whispered—he did not know with how much accuracy—that that supply was lamentably deficient, and that the deficiency was causing anxiety and surprise to the authorities in Dublin. During the time he was Viceroy the Land League had not reached the degree of importance to which it had since attained; but he believed the noble Viscount (Viscount Midleton) had, if anything, understated its danger; and he believed that nothing really effectual would have been accomplished till there was an Act passed against the existence of the Land League. He wished to ask, what had the Government done with regard to the Land League? He thought they were bound to give some explanations to their Lordships' House on that subject. It was true that some time ago the Government instituted a prosecution in a manner which was even high-handed. The police entered a room in Limerick, and arrested members of the Land League therein assembled. He believed the same thing was done at Tralee. Well, the men arrested at Limerick were conveyed to gaol, and the magistrates regarded the offence charged against them as so serious that they refused to admit them to bail, and subsequently their friends had to make an application for bail in a Superior Court. What had become of that prosecution? No doubt, such a prosecution must have a salutary effect. The audacity of the people who formed themselves into land tribunals was without bounds; and he knew a case in which men had been summoned to a Land League Court for attending a sale of cattle by auction, and not allowed to go until they had pledged themselves not to attend another under the circumstances. There was another point to which he would direct the attention of the Government. In the Coercion Bill powers were given to the Lord Lieutenant to put a stop to meetings at which inflammatory speeches were made that would necessarily, among a sensitive and excitable people, become incentives to outrage. Power was also given to suppress printed publications of a similar character and tendency. These were most salutary provisions, and he wished to know how they had been exercised? It was not only what was said at meetings, but what was published and circulated by pestilent publications, which influenced and demoralized the minds of the Irish people. One of the most licentious and infamous publications was named *The Irish World*, which was very largely circulated. It was printed in America, but a letter written in London formed part of its contents. He believed the circulation had enormously increased. It was circulated through the Post Office; and he wished to know whether the Government had taken, or intended to take, any steps, either in the way of applying to Parliament for power or otherwise to stop its circulation? He hoped the Government would not, in their reply, make light of this question. He had no doubt, if those who committed outrage were given to understand that persons who violated the law would have to undergo real punishment, and not spend their time in prison in a pleasant and luxurious manner, as was the case in many instances at present—if the law were administered without undue severity, but with perfect firmness, with a grasp of iron, and not with a glove of velvet, crime would diminish, and the people of Ireland would be contented and peaceful; and if further legislation was necessary, terrorism and violence would not be resorted to.

LORD ORANMORE AND BROWNE said, that the statistics of outrages in Ireland showed that while in March last the number had been only 145, they had increased last month to 295. Crime, in fact, had doubled in one month. That being the case, it evidently became the duty of the Executive to find some means by which crime should be stayed.

EARL SPENCER said, he felt some difficulty in giving a precise answer to the Questions put by the noble Duke and the noble Lord. Those Questions could be answered by those who were directly connected with the administration of Ireland; but he was not directly responsible for the government of Ireland, and was thus in a position of some difficulty in meeting the particular cases to which his attention had been directed. He had no intention, in replying to the Question of the noble Viscount (Viscount Midleton) of alluding, as the noble Viscount seemed to suppose, to the Bill which was rejected by their Lordships last year—he meant the Compensation for Disturbance Bill. Nor would he allude to the effects of a remedial character likely to be produced by the Land Bill. The noble Viscount had advised him to repudiate certain statements which he had said were believed in certain quarters. He had always felt the greatest possible indignation whenever he had heard from any speaker, or seen stated in the public Press, that there were Members of the Government who wished the agitation in Ireland to continue, in order that they might be able to bring in a strong measure for the reform of the Irish Land Law. He always felt that no one would be worthy to sit in an English Government who could advocate such views, and he was glad that the noble Viscount had said he did not attribute them to Her Majesty's Government. The noble Viscount had referred to the effect of the Land League in Ireland, and he quite agreed that it had exercised the most pernicious and pervading influence in all the relations of life. It had not only affected landlords and tenants, but labourers and persons in every grade and condition of life. No one deplored or denounced more strongly than he did the immoral conduct of many of those who had spoken on behalf of the Land League. With regard to the position of Ireland at the present time, he did not propose to attempt to prove that the condition of that country was satisfactory. He felt that Ireland was in a most unfortunate and unsatisfactory condition; and not only he, but the other Members of the Government, felt very strongly with reference to the relapse of crime into which Ireland had fallen within the last six weeks. The Government thought that the measures which it was their painful duty to pass through Parliament would have been more effectual than they had been in restoring order. The only thing he had to point out as to the application of those measures was that within the last few weeks they had been going through a most trying time with regard to agrarian crime. There had been considerable abstention during the last two months on the part of the landlords from evictions for non-payment of rent; but that abstention having ceased, and a large increase of evictions having taken place, outrages had undoubtedly increased. He was not going to find fault with the conduct of the landlords. He was quite aware that many of them had been most patient and long-suffering with their tenants, and that they only did what they were obliged to do in carrying out these notices. But, at the same time, he felt bound to call attention to the fact, in order to show that at the present moment they were going through a period of greater difficulty than even that of December and January last, and that this might account, to some extent, for the large number of outrages that had latterly taken place. The fact had been referred to that when these measures were first passed there was a large diminution of crime in Ireland; but the fact was that the diminution of crime was apparent the moment the notice was given of the bringing in of those Acts. There was then a lull throughout the country. Unfortunately, however, it should be admitted that there had since been an increase of crime. The noble Viscount referred to what he thought the want of energy of the Lord Lieutenant and the Chief Secretary in enforcing the exceptional powers which the law put into their hands. It might appear that under the Protection of Person and Property Act almost anybody could be arrested whom the Lord Lieutenant thought fit to arrest. But that was not the case. The clauses of the Bill laid down very strictly the kind of persons who could be arrested, and those who thought that a great many more persons ought to have been arrested seemed to forget the stringency of the clauses of the Act. It was said that the Irish Government ought to have struck at the leaders of the movement, and not merely their dupes. No doubt, if the leaders could have been brought under the operation of the clauses in question, the Irish Government ought to have put the law in force against them. But the Irish Government had most carefully to consider all the cases brought before them, both of leaders and followers, and to act within the law. Very lately they did put the Act in force by arresting one of the leaders, Mr. Dillon. It was easy to say that more ought to have been arrested; but unless those who said so were in possession of the information belonging to the Executive, it was impossible to know whether the Government were guilty of the laxity of duty laid to their charge. He had to confess that he was disappointed, as was Her Majesty's Government, at the result of the operation of the Act. Lately, the Government had found it necessary to make many more arrests than they did in the first instance, and in the course of a few weeks he trusted they should have better results from the Act. The noble Duke (the Duke of Marlborough) said that only 35 had been arrested until lately, when there were some more. He had before him the number of those arrests, and it amounted now to 72. The noble Viscount (Viscount Midleton) said that the Viceroy ought to have consulted the lords lieutenant of counties in order to know who should be arrested. Now, from the experience he had in putting into operation the Act of 1871, he could not conceive that the lords lieutenant of counties were the proper persons to consult in such a matter. The Viceroy required very particular knowledge before he could be satisfied that persons came under the Act. He was bound to inquire very minutely into all the facts connected with the case; and surely it was not the lords lieutenant of counties who could give him the necessary information. The Viceroy had to get evidence —not sufficient, indeed, for a Court of Law, but enough to satisfy him that a person was reasonably suspected and could be brought under the operation of the Act. The noble Viscount also stated that more outrages had been committed than were reported by the police. But his own experience was that the police were very vigilant in obtaining evidence of crime. It was not always necessary that the people on whom outrages had been committed should themselves give information; but in almost every case the police obtained information in the districts of the outrages which were committed, and reported them to the Government. Things must have changed very much since he knew Ireland if many of those outrages remained unreported. He was very glad to hear what the noble Viscount said about the merits of the Royal Irish Constabulary, to whom too much praise could not be given for their loyalty and devotion to duty. During the last winter they had a most trying ordeal to go through, and there was no ground whatever for saying that they had neglected their duty, and not given the Government the information which it required. The noble Viscount suggested that, as far as possible, every resident magistrate should reside in some town in the centre of his district. But there was great difficulty in Ireland, as the noble Duke (the Duke of Marlborough) would bear him (Earl

Spencer) out in saying, in finding proper houses for resident magistrates. The towns in Ireland were often very small, and houses suitable for resident magistrates were not always to be found within several miles of the centre of the district. But it had always been the endeavour of the Government to place the resident magistrate in the centre of his work wherever it was possible to do so. Then the noble Viscount had made a suggestion about sending additional magistrates into districts where outrages were committed. That was a very proper suggestion. In former cases it was usual to send magistrates of known experience and skill to aid those who, in ordinary times, would be quite sufficient for the duties. The noble Duke (the Duke of Marlborough) had accused the Government of blowing hot and cold, and dealing alternately in kicks and kisses. But it should be remembered that when men were deprived of their liberty it could not be looked on as a pleasure to them. The noble Duke found fault with the prison rules in the case of those men, and attributed the lapse into crime which had occurred in Ireland partly to the lenient treatment given to the prisoners. He believed he could say that the rules in force with regard to the prisoners now in detention under the Lord Lieutenant's Warrant were the same as those which were in force when he was in Ireland in connection with prisoners in custody under the Act of 1871. He was not aware that any alteration had been made in the rules. At that time they had no reason to believe that the prisoners were treated in a lenient manner, and he was entitled to say that the operation of the Act was successful; nor was any charge made of its being carried out insufficiently. With regard to there being but one prison, he imagined it had been found desirable that prisoners of that kind should be confined in one prison; and that, he conceived, was the reason why the great body of the prisoners were confined in Dublin. But he believed that at the present moment, both in Galway and Limerick, there were some detained under the Lord Lieutenant's Warrant. He was unable to answer the noble Duke with respect to the prosecutions at Limerick and Tralee, because the noble Duke had given him no Notice of the Question. But he believed the reason why the prosecutions had not been carried to a conclusion was that the officers who conducted them thought that on public grounds the trials should be deferred. He understood the noble Duke to say that the Government had power under the Act to stop meetings at which inflammatory language was expected to be used; but he was not aware of any such exceptional and new power being sought for, and could not recollect any clause in the Bill by which it had been conferred. The meetings in question were always carefully watched by the Government; but when the noble Duke asked what course the Government intended to take with regard to them, and in reference also to the newspapers, he was quite unable to give a reply. If the Government contemplated moving in the matter, their objects would be defeated if they were to announce their intention in Parliament. For the same reason he was unable to answer the last part of the noble Viscount's Question. All he could say was that the Government were determined to do all in their power to enforce the law with energy and vigour, and that nothing would be left undone that might effect that object.

Lord INCHIQUIN observed, that he did not intend to ask the noble Earl for information as to individual cases of outrage; but no one who read the daily papers could fail to notice the lamentable state into which the country had been allowed to drift. Day after day accounts were published of assaults on process-servers, and of every kind of outrage, nearly all of which crimes were apparently committed with impunity, in defiance of the very large military and police force now in Ireland, and in spite of the recently passed Coercion Bill. For such notorious facts an explanation was due to Parliament, and especially to the loyal residents in Ireland. In his opinion, the present state of that country might briefly be ascribed to the action of the Land League. There would be no peace in Ireland until that organization, or, rather, that illegal conspiracy, was suppressed. But what had been the course of the Government? They had allowed an agitation to continue, the results of which were altogether inconsistent with the institutions of civilized society. For six months the Land League had been permitted to work unchecked; and at last, instead of striking boldly at the ringleaders, the Government had arrested a few insignificant persons. True, Mr. Dillon had now been arrested, but not until he had several times used the strongest language. The so-called remedial legislation in which the Government were now engaged would not bring peace to Ireland. Its completeness was doubted by Irishmen themselves; indeed, Mr. Parnell and his followers cared nothing for it except as a means of further confiscating the property of the landlords. The Government, if they really intended to stop agrarian outrages, ought to ask Parliament for power to deal more effectually with the Land League.

EARL FORTESCUE said, he looked upon the condition of affairs in Ireland as most serious, and could not help thinking that the speech of the noble Earl would cause great disappointment to all Her Majesty's loyal subjects there. The Government had acted with great tardiness in regard to John Dillon; and even yet the Government, judging from the statement they had just heard from the Lord President of the Council, seemed to look upon the condition of affairs in Ireland with a certain complacency. His noble Friend's explanation of the increase of outrages seemed to him by no means the right one. They all remembered the fable. The splash made by the passing of the Protection of Person and Property Act had at first somewhat frightened the Land League; but they soon found that, up to a certain point, they had nothing to fear from the Irish Executive, and were now hopping upon King Log. If further illustration were wanted, the morning papers would supply a fresh instance of the helplessness of the Government in dealing with cases that required prompt and energetic action. It was stated as a piece of news that the Government were now buying horses and cars for the use of the police; but for many months past the police had been denied the use of conveyances, and it seemed extraordinary that the Executive now for the first time recognized that fact, and prepared to take this most obvious step. The difficulty of moving the police from place to place must of necessity tend to discourage the members of the severely tried Constabulary Force, while it correspondingly encouraged the disaffected. He mentioned this one illustration of that general want of firmness, energy, and resource in the Irish Executive which furnished, he believed, the true explanation of the recent increase of crime and outrage in Ireland, notwithstanding the passing of the stringent Act for the protection of life and property.

THE EARL OF CARNARVON said, he had heard with great regret the speech of his noble Friend the Lord President of the Council, because he feared it would carry far and wide the impression that, whatever their intentions might be, Her Majesty's Government were singularly wanting in that energy and earnestness of purpose which could alone successfully meet the present difficulty with Ireland. It was surprising that the strongest and fittest adjective the noble Earl could find to describe the present state of Ireland was "unsatisfactory, disgraceful, perilous, and ruinous;" and he believed this intimation of irresolution and uncertainty of purpose on the part of the Government would only strengthen the present state of things. He had rarely heard in their Lordships' House a more lucid and temperate statement than that in which his noble Friend had brought this question before their Lordships' House; but the noble Earl had not given anything like a reply to the noble Viscount. He was sorry that the noble Earl should have rested part of his case upon the supposed increase of ejectments on the part of the landlords. He (the Earl of Carnarvon) thought that when the history of the present time was fairly reviewed men of all sides would acknowledge that the Irish landlords, as a class, had been singularly patient and forbearing.

EARL SPENCER explained, that he only mentioned that as a fact in the case. He had thrown no blame on the Irish landlords, and he had admitted they had been long-suffering.

THE EARL OF CARNARVON said, if the noble Earl did not impute blame, he had certainly dwelt upon it as a cause of the present state of things; and he thought that expression on his part would carry weight of a very undesirable kind in Ireland. He did not know that in the course of the present century Ireland had ever been in a more miserable state than it was at the present time; for, as was patent, outrages of almost every kind were being committed in every part of the country. It was all very well to say that the tenants had suffered heavily in some instances; but there were cases of quite as great hardship among the landlords, and there were many cases within his own knowledge, where rentals had come down from thousands a-year to a few pounds, and where men who were dependent upon rentals for their subsistence had been reduced to beggary. He must say that he had been astonished at the lenient terms of the Protection of Person and Property Act—a measure which hardly seemed to have been framed in order to strike terror into wrongdoers. Instead of arresting the prime movers in the disturbance, the Executive had confined their arrests mainly to inferior agents, and had put them under restraint in circumstances amounting almost to absolute luxury. But there were two facts daily growing in importance, and threatening to overshadow all other considerations, to which he earnestly prayed the attention of the Government before it was too late. First, there could be no doubt that the most staunch, loyal, and faithful body of men in Ireland were the Royal Irish Constabulary. On them depended whatever of peace and order remained in the country, and whatever of peace and order might be hereafter restored; but the Government was just now exposing that force to a pressure that flesh and blood could scarcely bear. And, secondly, he observed in the papers of that very day the account of an attack on the troops by an Irish mob. No blood had been shed, and the officers had succeeded in preventing any retaliatory act; but this marked a new point of departure. It was impossible that matters should remain here; they must either improve or grow much worse, impunity would beget fresh collisions; and he warned the Government to consider very carefully the course they pursued, for the country was within a measurable distance of trouble and bloodshed far greater than any she had yet passed through.

LORD CARLINGFORD said, that the principal objection made by the noble Earl who had just sat down (the Earl of Carnarvon) to the speech of his (Lord Carlingford's) noble Friend the Lord President was an objection to the use of an adjective in describing the condition of Ireland as "unsatisfactory." The use of that epithet should not be the subject of grave accusation. He would admit, however, that it was not possible to address to the House a satisfactory speech on the condition of Ireland during the period through which the country was now passing; but he hoped that period would be only a limited and temporary one. He had listened to the speeches of noble Lords opposite, but had failed to gather from them any suggestion of a short cut out of the difficult and painful position in which some parts of Ireland were now placed, unless they accepted the *ultima ratio* of suppressing the Land League by Act of Parliament. He would express no opinion on that subject. But had those noble Lords considered how far the suppression of that body would have the effect desired? Had they considered the possibility that a course of that kind might have the effect of converting the Land League into a secret society corresponding with the Ribbon and other secret societies which were known in Ireland in times past. Had they also considered the time that would be sacrificed in the task of carrying such a Statute through "another place?" Without, in the least, complaining of the manner in which the subject had been introduced to the notice of their Lordships, he, nevertheless, thought that noble Lords opposite had not sufficiently weighed the difficulties which any Government in Ireland would have to encounter in dealing with the present widespread combination against the payment of rent. Those difficulties were, in fact, far greater than any which had arisen under the various other organizations which had from time to time held sway in the country. The more sanguinary and dangerous Ribbon organization was limited in its area and its numbers; and when certain of its leaders were arrested, as under the provisions of the Westmeath Act, its power was broken. The present agitation was more far-reaching in its effects. The "intimidation" of tenant farmers by violent, and sometimes sanguinary, means was not the only thing which had to be considered. He thought the word "demoralization" more applicable than "intimidation" to the present state of Irish tenants, for there was a general feeling among them which facilitated the promulgation of the doctrine—always an easy one to disseminate—that it was advisable and even heroic not to pay rent. It was that demoralization which had made the Land League successful; for it was no more difficult in Ireland than elsewhere to persuade men not to pay their debts. One great difficulty, which was known to all who were acquainted with the country, was that, from causes lying deep in its history, the peasants and tenants of Ireland were very much in the habit of following each other blindly in any cause, good or bad, which happened to come to the front. The phrase, "We cannot go against the people," was one familiar to everyone acquainted with Ireland; and it was from the sentiment so expressed—the dislike of people to disassociate themselves from their neighbours, and from the opinion of the neighbourhood—that the Land League derived much of its power. A sentiment of that kind could not be overcome by the mere action of the police, or by measures of repression; but he had a strong hope and belief that such sentiments could be dealt with and overcome by wise legislation. It was the opinion of those best acquainted with Ireland that the great body of the tenant farmers were not ready to become revolutionists even on the subject of land; and that they were not prepared to reject any reasonable measure for the improvement of their condition. At the same time, he fully admitted that the hopes entertained of a peaceful solution of the difficulty did not, in the smallest degree, exonerate the Government from the imperative duty of using all the powers, ordinary and extraordinary, now in their hands for the purpose of maintaining peace, of encountering and resisting intimidation, and of supporting all the fair rights of property.

The Earl of FEVERSHAM said, the present unsatisfactory state of things in Ireland was attributable, in a great measure, to the apathy and want of energy on the part of the Government in having unjustifiably allowed the Peace Preservation Acts to expire, and to their having failed, when the land agitation had developed itself, immediately to call Parliament together in the autumn, in order to take energetic measures for the vindication of the law. They had endeavoured to reverse the policy of their Predecessors, and had disregarded the warning voice of his late lamented Friend the Earl of Beaconsfield, allowing things to drift in Ireland until they got from bad to worse; and at length, when they did pass a Bill for the protection of life and property, the state of Ireland was such that, notwithstanding that remedial measures were introduced, they had been of little or no avail. Unless they acted with greater energy than they had hitherto done in dealing with the matter, it would end in the state of the country becoming worse than ever.

## FRANCE AND TUNIS — CIRCULAR OF THE FRENCH MINISTER OF FOREIGN AFFAIRS.

### QUESTION. OBSERVATIONS.

Earl DE LA WARR, in rising, according to Notice, to ask the Secretary of State at the head of the Foreign Office, If the recent Circular of M. St. Hilaire, the French Minister of Foreign Affairs, explanatory of the objects of the French invasion of the Regency of Tunis, can be laid on the Table of the House? said, that although his noble Friend (Earl Granville) was not in the House, he would put the Question generally. In doing so, he would observe that the differences which had arisen between France and Tunis had come to a crisis which could not fail to awaken very grave considerations. The French expedition to Tunis was undertaken with the avowed object of putting a stop to the predatory incursions of some lawless tribes on the Frontier of Tunis and Algeria. It was not easy to ascertain to what extent these raids had been carried on, though they had, in former instances, not unfrequently been easily checked and repressed by the Bey. The French, however, seemed to have treated the matter as a serious one, and sent a force of 20,000 men in search, as alleged, of those lawless tribes. It would, perhaps, be difficult to say that the French were not justified in taking some steps to put a stop to annoyances which they might receive from lawless tribes on their Frontier. But, under pretext of this, a neighbouring and friendly country was invaded against the protest of the Sovereign, who had always been on friendly terms, and was still desirous of keeping up friendly intercourse with France; and the French troops, after occupying several places in the Regency of Tunis, advanced far into the interior of the country, and were now within a few miles of the capital. Simultaneously with this, a Circular was despatched by M. St. Hilaire to the French Representatives in foreign countries, in which it was announced that there must now be a

> "Treaty guaranteeing us both from the incursions from which our frontiers are perpetually suffering, and from the unfair dealings of which the Bardo (*i.e.*, the Government of the Bey) has too often been the instrument and the centre."

He (Earl De La Warr) believed this to be a most unjust and unfounded accusation, and that it would be found that the Bey had always endeavoured to be on the most friendly terms with France. Judging from what followed in the document, a French Protectorate of Tunis was the ultimate object of the invasion of the country. M. St. Hilaire goes on to say that—

> "Tunis is in general very fertile, as the prodigious wealth of ancient Carthage sufficiently shows. Under the protection of France all the natural gifts of that country can be developed afresh."

And here he might refer to what seemed to be a somewhat questionable sentence for the Foreign Minister of a great country to put into a Circular addressed to the foreign Representatives of that country in speaking of the Sovereign of a neighbouring State. M. St. Hilaire continued—

> "It is very possible that the present Bey may soon learn to his cost, at the expense of his Throne or his freedom, perhaps of his life, what a tremendous mistake his ill-inspired advisers made him commit."

He need offer no comment upon those words. And now he would ask their Lordships to look at the present attitude assumed by France as compared with the avowed objects of the military invasion of the Regency of Tunis. Their Lordships had heard more than once from his noble Friend the Secretary of State for Foreign Affairs that France had no intention of conquest or annexation; that the French Government had authorized Lord Lyons to assure Her Majesty's Government that they had no intention of annexation or conquest; and the same assurances were given by Her Majesty's Government in "another place," where it was stated—

> "The French Government informed Lord Lyons on the 9th instant that their military operations in Tunis will be confined to the neighbourhood of its frontier and the punishment of its lawless frontier tribes."

Such were among the repeated assurances of the French Government at the commencement of the campaign; and he (Earl De La Warr) asked how far they were consistent with the present operations of the French Army, which was now far distant from the Frontier, and within a few miles of the City of Tunis? He ventured to hope that the noble Earl would be able to assure their Lordships that some action would be taken by Her Majesty's Government, to show that this country was not indifferent to what was taking place, not only with regard to the injustice which was being done, but also in consideration of the interests of this country. He believed his noble Friend received yesterday a direct communication from the Bey of Tunis—a Copy of which had been sent to the other Powers—showing how that, relying on the assurances of France, he had offered no resistance, and appealing in the extreme urgency of the case to the British Government, as well as to the Governments of the other Powers. He would most earnestly press upon the attention of Her Majesty's Government whether some joint action with other Powers might not bring the question to a satisfactory issue.

LORD STANLEY OF ALDERLEY said, that he rejoiced at the news of a Treaty having been signed at Tunis, and that further effusion of blood had been stopped, and the danger avoided of any military accidents such as might have induced the French to impose more onerous terms on the Government of Tunis than those they originally intended to impose, or had professed to intend to seek. No final Treaty could be entered into by the Bey of Tunis alone without ratification by the Sublime Porte. The noble Earl the Secretary of State for Foreign Affairs (Earl Granville) would, therefore, have opportunities of watching over the negotiations and preventing the insertion into this Treaty of clauses which might clash with the independence of Tunis, or with the rights of other nations under Treaties with the Ottoman Porte. The qualities and past political services of his noble Friend, and, he might add, those of the hon. Baronet his Under Secretary (Sir Charles W. Dilke), gave him exceptional facilities for these negotiations.

THE EARL OF **KIMBERLEY**, in reply, said, he could only repeat what his noble Friend the Secretary of State for Foreign Affairs had already stated—that he intended to lay on the Table of the House very shortly Papers on the subject, and that among them would be the document which the noble Earl opposite (Earl De La Warr) asked to have produced.

House adjourned at a quarter before Eight o'clock, to Monday next, Eleven o'clock.

# HOUSE OF COMMONS,

*Friday*, 13*th May*, 1881.

PUBLIC BILLS—*Ordered—First Reading*—Local Government Provisional Orders (Horfield, &c.) * [166]; Tramways Orders Confirmation (No. 1) * [167]; Tramways Orders Confirmation (No. 2) * [168]; Tramways Orders Confirmation (No. 3) * [169].

*Referred to Select Committee*—Bills of Sale Act (1878) Amendment (*re-comm.*) [104].

*Committee*—Newspapers (Law of Libel) [5] —R.P.

## *MOTIONS.*

### LOCAL GOVERNMENT PROVISIONAL ORDERS (HORFIELD, &C.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Horfield and Teignmouth, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented*, and read the first time. [Bill 166.]

### TRAMWAYS ORDERS CONFIRMATION (NO. 1) BILL.

On Motion of Mr. ASHLEY, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Bootle-cum-Linacre Corporation Tramways, Gravesend, Rosherville, and Northfleet Tramways, Jarrow and Hebburn and District Tramways, Liverpool Corporation Tramways (Extension), Manchester Corporation Tramways, Middlesborough Tramways (Extensions), North Staffordshire Tramways (Extensions), Rusholme Local Board Tramways, Shipley Tramways, South Gosforth Tramways, South Shields Corporation Tramways, Woolwich and South East London Tramways, and York Tramways (Extensions), *ordered* to be brought in by Mr. ASHLEY and Mr. CHAMBERLAIN.

Bill *presented*, and read the first time. [Bill 167.]

### TRAMWAYS ORDERS CONFIRMATION (NO. 2) BILL.

On Motion of Mr. ASHLEY, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Birmingham and Western Districts Tramways, Dudley and Tipton Tramways, Dudley, Stourbridge, and Kingswinford Tramways, South Staffordshire Tramways, and Wednesbury and West Bromwich Tramways, *ordered* to be brought in by Mr. ASHLEY and Mr. CHAMBERLAIN.

Bill *presented*, and read the first time. [Bill 168.]

### TRAMWAYS ORDERS CONFIRMATION (NO. 3) BILL.

On Motion of Mr. ASHLEY, Bill to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Bristol Tramways (Extensions), Bury and District Tramways, City of London and Metropolitan Tramways, Lincoln Tramways, Lincolnshire Tramways, Rochdale Tramways, Shepherd's Bush and Hammersmith Tramways, and Worcester Tramways, *ordered* to be brought in by Mr. ASHLEY and Mr. CHAMBERLAIN.

Bill *presented*, and read the first time. [Bill 169.]

## *QUESTIONS.*

### CONTAGIOUS DISEASES ACTS—ACTION OF THE POLICE.

MR. **HOPWOOD** asked the Secretary of State for the Home Department, Whether, to prevent the recurrence of such cases as that of Elizabeth Burley at Dover, the Police employed under the Contagious Diseases Acts will be instructed and cautioned that no authority is given to them by those Laws to stop, or question, or molest any woman, but only to proceed against those suspected of prostitution under a summons or order of justices of the peace?

SIR **WILLIAM HARCOURT**: Sir, I understand that the matter occurred in the sense of the hon. and learned Member's Question. It is altogether contrary to the duty of the police to molest any woman for the purpose of carrying out these Acts, or to do otherwise than obtain an order of the Justices, except, of course, in the case of voluntary submission. Directions to that effect have been given to the police, and will be enforced.

### INDIA—THE SALT DUTY.

MR. **WILBRAHAM EGERTON** asked the Secretary of State for India, Whether, as it is desirable to encourage the freight of salt to India, he would urge upon the Government of India that English salt should not be placed at a disadvantage in India, by a higher rate of duty of £1 per ton than that levied on Sambhur Lake salt, and that the salt made in India should not be sold under the cost of production, plus the duty charged on English salt; and, whether he can lay upon the Table any correspondence on the subject?

THE MARQUESS OF HARTINGTON: Sir, I have been in correspondence with the Government of India on the subject of the hon. Member's Question, in consequence of a Memorial from the Salt Chamber of Commerce, and have ascertained that salt made in India is not sold under the cost of production. It is necessary, for financial reasons, to fix the Salt Tax in Bengal about £1 a-ton higher than in Upper India, and hence the English salt consumed in Bengal pays a higher rate of tax than the Sambhur salt of Upper India. But the Indian salt made in or imported into Bengal and the English salt imported into Bengal pay the same rate of tax. Under those circumstances, I do not consider it necessary to lay the Correspondence which has been communicated to the Salt Chamber of Commerce on the Table of the House.

## LAW AND JUSTICE—ASSIZES.

MR. HICKS asked the Secretary of State for the Home Department, Whether, having regard to the small number of criminal cases tried at the autumn assizes 1879 and winter assizes 1880, as shown in the Return presented to the House on the 24th day of March, he intends to bring forward any measure to reduce the number of assizes, and thus save a great waste of judicial power, and relieve all classes of jurors and others from unnecessary expense, trouble, and loss of time?

SIR WILLIAM HARCOURT: Sir, the right hon. Gentleman opposite, my Predecessor in Office, for reasons which I entirely approve, established, I think with great advantage, quarterly gaol deliveries, in order that no man who might be innocent should be left untried in prison for more than three months. That is a principle from which I have no disposition to depart. I am, however, quite aware of the inconvenience which is caused in some cases both to the Judges and to others who have to attend those Assizes, and I have been in communication with the Lord Chancellor and the Attorney General on the subject, and I hope that some more convenient system may be devised by which all prisoners may be brought to trial speedily and our gaol system consolidated.

## PERU—MASSACRE OF CHINESE.

MR. W. H. JAMES asked the Under Secretary of State for Foreign Affairs, Whether he has received any information from Her Majesty's Minister in Peru, concerning the massacres of Chinese, referred to in a letter published in the "Times" on April 27th; and, whether any steps are being taken to protect the lives of subjects of Her Majesty in the present disturbed state of that Country?

SIR CHARLES W. DILKE: Sir, Mr. St. John has reported to Her Majesty's Government that the Chinese shopkeepers of Lima were attacked by a cowardly Peruvian mob the night before the entry of the Chilian Forces, and that 70 or 80 of them were killed. Seven hundred persons were compelled to seek refuge in the British Legation, where the British Admiral and his Staff and five blue-jackets also were. At daylight the Foreign Representatives called out the Foreign Urban Guard, and the riots were quelled by them. Her Majesty's Government are informed that Chinese have been killed up the country; but Her Majesty's officers will, of course, continue to do all in their power to prevent these massacres and protect the lives of British subjects.

## POST OFFICE (IRELAND) — DELIVERY OF LETTERS AT BONNYBEG, CO. LIMERICK.

MAJOR O'BEIRNE asked the Postmaster General, If the Post Office authorities in Dublin have as yet been able to come to any decision as to whether the alteration in the route of the letter carrier from Drumsna to Bonnybeg, county Leitrim, as suggested in a Question in the Orders of the Day of the 4th April 1881, can be carried out without any disadvantage to the public service?

MR. FAWCETT, in reply, said, that he had inquired into the matter referred to in the Question; but he found that the alteration suggested by the hon. and gallant Member could not be made, as it would operate unfairly towards a larger number of people in the district than those whom it would benefit.

## SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS)—CASUALTIES.

Mr. S. LEIGHTON asked the Secretary of State for War, Whether the unprecedented proportion of killed to wounded amongst Her Majesty's troops during the Transvaal campaign was caused by the use of explosive bullets by the Boers, or by the slaughter of the wounded, or whether there are any other causes to account for it; and, when he will be able to inform the House of the losses among the troops from sickness since the commencement of the campaign?

Mr. CHILDERS: Sir, in reply to the hon. Member, I have to state that the number of deaths by sickness in the recent campaign in the Transvaal is reported to be 25. We have not as yet any reports of the cases of sickness which have not proved fatal; and no accurate information can be expected until the medical monthly Returns have been received. None have reached us for any month of the year 1881. As to the first part of the Question, there is no evidence to show that the proportion of killed to wounded is due either to the use of explosive bullets or to the slaughter of the wounded. In one case it was reported that a bullet was heard to explode after it had passed through the body of an officer who was wounded; but I can find no other reference to any suspicion that these bullets were used. As to any slaughter of the wounded, the reports, on the contrary, describe their treatment as considerate and humane. The high proportion of deaths may be simply due to the very accurate shooting of expert riflemen at short distances.

In reply to Lord Eustace Cecil,

Mr. CHILDERS said, it was reported that a bullet had passed through the leg of a wounded officer and exploded in the air; but he doubted very much whether the rumour was well founded.

## CRIME (SCOTLAND)—THE GLENLUCE MURDER.

Sir HERBERT MAXWELL asked the Lord Advocate, If any further inquiry in the Glenluce murder case is contemplated by the Government, in order, if possible, that the guilty person or persons may be brought to justice, or, at least, that the person or persons against whom local suspicion attaches may, if possible, be exonerated?

The LORD ADVOCATE (Mr. J. M'Laren): Sir, I can assure my hon. Friend that the Glenluce murder case has within the last few weeks occupied much of the time and attention of the local authorities and of the Crown counsel in Edinburgh under my direction, and a very full and careful inquiry has been instituted with reference to the persons to whom suspicion is directed. As regards the girl Anderson, who was suspected, she has been examined in Edinburgh, in presence of the Crown agent and two of the Crown counsel, who have separately written to me that they are perfectly satisfied as to her candour and innocence. As to the other parties referred to in the Question, after reading the depositions, I see no ground for a criminal prosecution against any of them. I must now express the hope that, after the very careful inquiry made, the people of Wigtownshire will let this matter rest, with the assurance that everything will be done that is possible on the part of the Prosecution Department to discover the guilty party and bring him to justice.

## COAL MINES REGULATION ACT — LILLY DALE COLLIERY (STAFFORDSHIRE).

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to the statements that the mine was carried on without a certified manager, and was on fire for a considerable time, made before the coroner's jury on 5th instant, in respect to the management of the Lilly Dale Colliery, Bucknall, North Stafford, where at least seven persons have lost their lives, a report of which appeared in the "Staffordshire Daily Sentinel" on the 6th instant; whether it be correct that the owner was mulcted in fines and costs to the extent of £30 some little time ago; and, further, will he direct some one to attend the inquest, which opens again on 24th instant, to watch the proceedings on behalf of the Home Office, to see that a searching investigation is made into the whole circumstances in connection with the explosion, and the management of the colliery without a certified manager?

Sir WILLIAM HARCOURT, in reply, said, it was a fact that this mine was carried on without a certified manager. Only 12 men were usually employed, and in those circumstances the mining engineer was allowed to manage the mine himself. It was true that the owner was fined £30 for negligence. The Inspector's Report was so clear that he did not think it would be necessary for anybody to attend the inquest on behalf of the Home Office, except an experienced Inspector.

## POST OFFICE—TELEGRAPH CLERKS.

Mr. MACLIVER asked the Postmaster General, If his attention has been called to the meetings of telegraph clerks held on Saturday last in various towns in the United Kingdom, and that at these meetings Resolutions were passed expressing surprise at the delay which has taken place in the settlement of the questions in dispute; and, whether he can fix a time when he will be able to make a statement with regard to the position of the telegraph clerks?

Mr. FAWCETT: Sir, I have observed the reports of the meetings to which the hon. Member refers. In reply to the latter part of his Question, I can only repeat that the fullest possible attention has been and is being given to the subject to which it refers, and that immediately a decision is arrived at I will take the earliest opportunity of making it known.

## TUNIS—THE ENFIDA CASE.

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether his attention has been directed to M. St. Hilaire's Circular in the French Yellow Book, which has just been published, in which he mentions the Enfida case as one of the motives of the Expedition by the French Army and Navy to Tunis; whether Her Majesty's Government will take steps to prevent the claims of a British subject being endangered by the French occupation of Tunisian territory, and to insure the question being impartially tried by the local courts, in accordance with the decision arrived at by the Law Officers of the Crown; and, when Her Majesty's Government will lay upon the Table the Papers referring to this case, as promised before Easter; and if it will include the Law Officers' Report?

Sir CHARLES W. DILKE: Sir, the Circular of M. Barthélemy St. Hilaire has been received in the French Yellow Book on Tunisian affairs, and contains a reference to the Enfida case. With regard to the second portion of my hon. Friend's Question, I think that I shall do best in asking him to await the publication of the Papers which will be laid on the Table next week, and which will clearly show the attitude of Her Majesty's Government with regard to the Enfida question. My hon. Friend must be aware that the Reports of the Law Officers are confidential documents which are never made public.

## TUNIS—SUZERAINTY OF THE PORTE.

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government did not recognize the Firman of 1871, in which the relations between the Porte and Tunis as "an integral part of the Ottoman Empire" were fully set forth; and, if he will lay upon the Table the Despatch congratulating the Bey of Tunis on the conclusion of the Convention between Khriedine Pasha and the Porte?

Sir CHARLES W. DILKE: Sir, the Firman of 1871 was virtually recognized by Her Majesty's Government, who considered Tunis to be under the suzerainty of the Porte. The French Government, as my hon. Friend is aware, and as I have already stated in this House, have since 1838 held a contrary view. No despatch of the nature referred to by my hon. Friend exists.

## THE NATIONAL GALLERY—THE PROPOSED EXTENSION.

Mr. COOPE asked the First Lord of the Treasury, Whether the Government is prepared to carry out the further extension of the buildings of the National Gallery, for which plans were prepared some years since by Mr. Barry, so as to provide sufficient space not only for those paintings already in the possession of the Nation, but also for such additions as may be made from time to time by gift or bequest?

Lord FREDERICK CAVENDISH: Sir, by the request of my right hon. Friend I will answer the Question. No application has been received from the Trustees of the National Gallery for a further space. There is, therefore, no present intention on the part of the Government to propose a further extension of the buildings of the National Gallery.

## CUSTOMS AND INLAND REVENUE BILL —DISTRICT REGISTRARS (IRELAND).

Mr. P. MARTIN asked Mr. Chancellor of the Exchequer, Whether the attention of Her Majesty's Government had been called to the fact that, under the 34th section of the Inland Revenue Bill, the five District Registrars for Kilkenny, Tuam, Ballina, Cavan, and Mullingar, would be deprived of a large proportion of the fees by which they are at present paid; and, whether it is the intention of the Government, in case the Clause shall pass in its present form, to place those officers on fixed salaries equivalent to their present official incomes; and, is it not the fact that, with the exception of those five officers, all other District Registrars, both in Ireland and England, are now paid by salaries in lieu of fees?

Lord FREDERICK CAVENDISH: Sir, our attention has already been called to the fact brought forward by the hon. and learned Member, and I have to state there is no intention that the interests of any individual officer should be prejudiced by the operation of the clause in question. The best way of meeting the case of these five gentlemen is now receiving the consideration of the Treasury. The hon. and learned Member is correct in saying that all other district registrars in Ireland and England are now paid by salary.

## RAILWAYS (INDIA)—THE PORTUGUESE TERRITORY.

Mr. R. N. FOWLER asked the Secretary of State for India, Whether a line constructed entirely in British territory from the harbour of Kurwar to Hubli, the centre of the Dhurwar cotton districts, which a Committee appointed by the Government of Bombay recommended after long investigation, would not better secure the interests of the southern Mahratta Country than a line running to the same point, partly through foreign dominions from the Portuguese part of Mumozou?

The Marquess of HARTINGTON: Sir, this is almost a repetition of the Question recently put by the hon. Member for Kirkcaldy (Sir George Campbell), and I can only return a similar answer to that which I then gave—namely, that under all the circumstances of the case it was considered desirable to enter into the arrangement by which a line is to be taken from Marmagoa through Portuguese territory to Hubli, and that there is no reason to suppose that the interests of the Southern Mahratta Country would be better secured by the alternative line from Karwar to Hubli.

## EVICTIONS (IRELAND).

Mr. DALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the Resolutions passed by the Dean and Clergy of Listowel, in conference assembled, on Wednesday the 4th instant:—

> "Resolved (1). That this conference expresses its unqualified condemnation of the practice resorted to on several estates within the deanery of issuing writs from the superior courts for the recovery of rents which are notoriously excessive and exorbitant, thus involving the unfortunate tenants in heavy and to many of them ruinous costs;
>
> "Resolved (2). That the evictions which have lately taken place in the district call for the reprobation of every humane and right minded man; that one of the evictions on the property of Mr. Gunn Mahony, an absentee, was invested with all those characteristics which entitle it to be described as an act of barbarous inhumanity, the father of a large family having been flung on the roadside in an apparently dying state, without a home, and without any shelter whatever;
>
> "Resolved (3). That profound tranquillity, perfect order, and peace have up to this prevailed over and represent the normal condition of North Kerry; but that this conference cannot contemplate without horror what may be the result should the extermination of a law-abiding and industrious people continue and the execution of the writs referred to with their revolting concomitants be persevered in;"

and, whether, if on inquiry he ascertains the statements above mentioned to be correct, and that what is true of the district referred to is equally true of many other districts in Ireland, he will feel it his duty to advise Her Majesty's Government to immediately pass a Bill for the temporary suspension of evictions pending the passing of the Land Law (Ireland) Bill through the Houses of Parliament?

MR. W. E. FORSTER: Sir, I cannot answer this Question to-day. I hoped to get information of this particular case, but I have not yet received it, though it may be received in a few days. But I may say that I could not answer the last part of the Question. I do not think that any Member of the Government ought to be asked what is the course he will take in consultation with his Colleagues on public matters. Of course, the hon. Member may ask a Member in charge of a Bill what course he intends to take; but it is not a usual thing to ask a Member of the Government what advice he will give.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881— ARREST OF JAMES LALOR.

MR. LALOR asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true, as stated in the "Standard" newspaper of the 11th instant, that James Lalor, of Raheen, in the Queen's County, has been arrested under the provisions of the Peace Preservation Act (Ireland); and, if so, on what reasonable suspicion; and, if he is aware that James Lalor and his family had been evicted from his holding only a few days previously, after he had sown his land under crops?

MR. FITZPATRICK: Before, Sir, the right hon. Gentleman answers this Question I beg to ask him whether it is not a fact that James Lalor owed two and a-half years' rent, and was always an unsatisfactory tenant; and whether the following statement relating to the holding of James Lalor is correct, as stated in *The Leinster Express* of May 7, that James Lalor

> "Held 16 Irish acres at £18 15*s*. a-year, and sublet 7½ of them—5 to one party and 2½ to another—for which he obtained a rent of £22 10*s*?"

By this means this rack-rented tenant obtained £3 15*s*. a-year more for 7½ acres than he was asked to pay by Dr. Jacob for 16 acres. And, further, whether, excellent landlord that he is, Mr. Lalor, in sub-letting the farm, required two years' rent in advance, or a sum of £44?

MR. LALOR asked the Chief Secretary for Ireland, Whether he was aware that the land for which that man had received the money at conacre was manured land?

MR. W. E. FORSTER: Sir, it is true that James Lalor has been arrested under the provisions of the Protection Act. The ground is reasonable suspicion of arson. It is also true that he was evicted from his holding a short time before, and I am told that his land was sown under crops. As to the Question of the hon. Gentleman opposite, the only information I have is that he was not considered an industrious tenant. I have seen the statement with regard to the sub-letting, and I have no reason to suppose that it is not true. With respect to the Question of manuring, I really cannot answer it. It is true that a year and a-half's rent was owing.

MR. LALOR wished to call the attention of the House to that matter. ["Order!"] He would conclude with a Motion.

MR. SPEAKER: The hon. Member has put his Question and has received an answer. If he desires to put any further Question arising out of the answer he is in Order in so doing.

MR. LALOR begged to say that he intended to conclude with a Motion. ["Oh!"] He lived within about half a mile of where that poor man had been evicted, and he understood the whole case. During the last 12 months he had four different ejectments served upon him. Two of these, he believed, were from the Superior Courts in Dublin, while the case could have been tried in the County Court or district where he resided. There had, no doubt, been a burning in the neighbourhood where that man had been evicted; but it was generally understood in the neighbourhood that it had occurred through the carelessness and insobriety of the owners of the place themselves, and there was not the slightest suspicion that it had been caused by Lalor. There was damage done by the fire to the extent of some £70 or £80; but the owner of the place claimed compensation to the extent of £300. He would remind the Chief Secretary that the person who got Lalor arrested and the county proclaimed was the person who had a direct interest in keeping the man in prison. Lalor had his crop sown, and there was an abundant crop in the ground to enable him to pay at the next harvest if he had been allowed to reside on the farm; but the fact of his being kept in prison would disable him from doing so, and there was reason to believe that that was the motive for putting him in gaol. It was most objectionable that the Queen's County should have been proclaimed, as it was one of the most peaceful districts in the Kingdom. It was believed that this had been done, not to put down outrages, but to enable the landlords to eject their tenantry and collect their rents. He begged to move the adjournment of the House.

Mr. ARTHUR O'CONNOR, in seconding the Motion, said, that James Lalor had the misfortune to be the tenant of a man who, besides being a landlord, was a magistrate of well-known proclivities. It was a matter of perfect notoriety that that landlord would crush and ruin that man if he possibly could. He understood that this magistrate had on four successive occasions taken proceedings against tenants, and having lost his case he entertained vindictive feelings towards them. Queen's County was conspicuous in Ireland for its freedom from everything like crime and outrage; and it was a matter of common report that that particular landlord had been peculiarly instrumental in causing that county to be proclaimed. They had a right, therefore, to ask the Government for some declaration of the grounds on which Queen's County had been proclaimed. He challenged the Chief Secretary to deny that during a large portion of last year the police were not required at all in Queen's County. In the month of April he believed that in that county there was only one offence of a serious agrarian kind, and another of a very mild description.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Lalor.*)

Mr. W. E. FORSTER: Sir, I would only state that James Lalor was not arrested, nor was Queen's County proclaimed, on account of the representation of the landlord to whom hon. Members had alluded. Having had no reason to expect that the question of the proclamation of Queen's County would come up this evening, I can only now say that I have a very different opinion on the subject from that of the hon. Member; but if the Question is repeated on Monday or Tuesday I will give an answer as to the grounds on which the county was proclaimed.

Mr. BIGGAR said, that the right hon. Gentleman had a very good memory for some things and a very bad one on others, as suited his convenience. He could tell that Lalor had sub-let part of his lands for more rent than he paid the head landlord for the whole holding; but he could not tell whether it had been so sub-let as conacre and as manured land. In those cases between landlord and tenant the right hon. Gentleman was always inclined to take the side of the strong party against the weak, and no reply that he gave to those Questions was entitled to much consideration from the Irish Members. There had been only one or two slight outrages in the Queen's County recently, and these did not at all justify the proclamation.

Mr. HEALY said, he was glad his hon. Friend had moved the adjournment of the House, and he thought the Irish Party ought to come down and move the adjournment of the House on every occasion of this kind. He thought the Irish Party were to blame for not having acted with sufficient firmness in this direction. He thought the adjournment of the House ought to be moved on Government nights as well as on other nights to raise the question of these proclamations and arrests. It was only by action in the House of Commons that they could retaliate on the Government. They had been told that Dr. Jacob had not moved in the matter of the proclamation of the Queen's County; but if Dr. Jacob had any dirty work to do he would get someone else to do it. It would be easy for him or his agents to prime the Government with information which they might use as a means of getting the county proclaimed; and he ventured to say that what information they possessed came from such statements. Owing to the state of the Grand Jury Laws in Ireland, when a man's house or haystack was burned accidentally, he had the temptation to plead that it was malicious; and then, with the present cry about agrarian outrages, if he presented for £200 or £300, the Grand Jurors, who were landlords, were only too happy to mulct the district where the act was committed. He had known cases of this kind where, in place of punishing the really guilty parties—namely, the landlords, the unfortunate tenants were punished.

MR. LEAMY stated that very few of the tenant farmers of Ireland insured their stocks. If, unfortunately, a burning took place, and if there was no evidence as to how it occurred, the first thing that a farmer did was to rush off to the police barracks and give the requisite notices in order to apply for compensation. There was the strongest possible temptation for a farmer who had not insured to prove that the burning was malicious, because that was the only way of securing compensation. Now, he understood that a burning had recently taken place where this man had been arrested; and he thought they had a right to know on what grounds the man was arrested, and whether the burning for which he was arrested was the one in connection with which there was a claim before the Presentment Sessions for compensation.

MR. MITCHELL HENRY wished to enter his protest against the calumnies which had been heaped upon the farmers of Ireland by the hon. Gentleman who had just sat down. The hon. Member had stated in his place in the House of Commons that it was a usual thing for Irish farmers, whenever a fire occurred on their premises, to go off to the police and make false oaths and statements. ["Oh!"]

MR. LEAMY denied that he had made any such charge. [*Cries of* "Order!"]

MR. SPEAKER: The hon. Member for Galway County (Mr. Mitchell Henry) is in possession of the House, and he is entitled to proceed to the end of his address; if at the end of it the hon. Member for Waterford (Mr. Leamy) desires to make any explanation, no doubt the House will afford him an opportunity.

MR. MITCHELL HENRY said, he must protest against the statement of the hon. Member, for it was one of the greatest calumnies ever uttered. He knew as a fact that the farmers of Ireland were not guilty of this conduct; and he never would be a party to branding poor people as perjurers and perpetrators of crime, even when the accusation came from that side of the House, which assumed to be guardians and champions of the tenant farmers.

MR. LEAMY said, he had not attempted to brand the farmers of Ireland as perjurers, or in any way to reflect upon their characters. What he did say was, that an Irish farmer did not, as a rule, insure his stock, and that, when any of his stock was burned, there was the strongest temptation, in cases where there was no evidence as to how the fire occurred, to endeavour to prove that it was malicious, as it was the only way in which he could get compensation in the present state of the law.

MR. DAWSON said, the perception of the hon. Member for Galway (Mr. Mitchell Henry), in mistaking the remarks of his hon. Friend (Mr. Leamy), must not be very keen. The Irish farmers would be well able to judge between the two hon. Members, and decide who was most likely to brand the Irish character. His hon. Friend (Mr. Leamy) had merely stated what the history of Ireland had proved to be a fact. The temptation was so strong in these matters that the wonder was that there were not many more compelled to make claims for compensation; and what his hon. Friend contended was that that temptation ought to be removed out of their way by an alteration of the law. He was not uttering a calumny against his fellow-countrymen, but rather wishing to deprive them of this temptation.

Motion, by leave, *withdrawn.*

## PARLIAMENTARY OATH (MR. BRADLAUGH).

### NOTICE OF MOTION (SIR WILFRID LAWSON).

MR. LABOUCHERE said, he rose to make an appeal to his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson); and, in doing so, with a view to expedite Business which was set down for that evening, he should be under the necessity of following the example of the hon. Member opposite (Mr. Lalor), and would conclude with a Motion. His hon. Friend the Member for Carlisle had given Notice of a Resolution which he now saw on the Paper. When the Speaker was asked whether that Notice would have precedence over all others as a question of Privilege, he stated that this question could not be put in its present form, but that, in order to have precedence, it would be necessary that the hon. Baronet should specifically move a Resolution rescinding one on the subject of Mr. Bradlaugh which was passed some time ago by the House. The view held on that side of the House was that the Resolution was illegal in the sense that it was contrary to the statutory law and the statutory rights of Mr. Bradlaugh. Into that he did not wish to enter. As a matter of fact, his hon. Friend the Member for Carlisle would not be able to put this Resolution in its present form before the House; he would be obliged to move a Resolution rescinding the previous Resolution; and he confessed that he did not for himself think that the bringing of such a Resolution before the House would in any way tend towards Mr. Bradlaugh taking his seat there. Since the Resolution of last month had been carried the Government had asked leave to bring in a Bill to enable Mr. Bradlaugh to affirm instead of taking the Oath. [*Ironical cheers.*] Hon. Gentlemen opposite thought it very funny when he mentioned Mr. Bradlaugh; but they knew very well that, although the Bill was a general one, it was specifically stated that it was brought in in order to meet a particular difficulty. [*Renewed cheers.*] He was astonished hon. Members should cheer that statement. It was well known that that was the reason why it was brought forward at the present moment. Objection was taken, when leave was asked to bring in the Bill, to a Morning Sitting being taken; and hon. Gentlemen stated that they were prepared to sit up all night in order to prevent it. ["No!"] It was within the recollection of the House that hon. Members declared that they would contest the matter during the whole night. ["No, no!"] They thought it more simple to pass the night objecting to a Morning Sitting than to sit the next morning for three or four hours. However, it appeared very evident that the Morning Sitting would be of very little use, because they would then have been favoured with very valuable observations from several Gentlemen, and at 7 o'clock have been very much in the same position, so far as that Bill was concerned. Hon. Gentlemen opposite bore him out that they intended to use the Forms of the House to prevent that Bill being brought in. Under these circumstances, he would ask the Prime Minister what he intended to do with regard to the Parliamentary Oaths Act. He need not say in consequence of Mr. Bradlaugh only, because it concerned the constituency which he (Mr. Labouchere) had the honour to represent. That constituency was naturally anxious that it should have full representation in that House. Mr. Bradlaugh himself was naturally anxious that he should not sit at the further side of that door for ever like a Peri at the gates of Paradise.

Mr. SPEAKER: I must point out that I understood the hon. Member to rise to make an appeal to the hon. Baronet the Member for Carlisle; but no question has been put to the hon. Baronet. No doubt the hon. Member is entitled to make any remarks necessary to make his question plain to the House, but he is going beyond that concession.

Mr. LABOUCHERE said, of course he should follow that direction. He was arriving at his Question to his hon. Friend the Member for Carlisle, and was trying to clear the ground, and to explain to him what the position was before the Question was put. As he had said, the constituency of Northampton felt deeply grateful to the First Lord of the Treasury and to his Colleagues for what they had done, for the efforts they had made to secure to that constituency their Constitutional rights. At the same time, that constituency, he was happy to say, was a thoroughly Radical constituency, and did not wish to impede the progress of the Land Bill. He would, therefore, venture, in order to clear the matter for the hon. Member for Carlisle, to ask the Prime Minister to be good enough to tell the House, if possible, what course the Government intended to pursue. His constituents were quite willing to wait patiently. But he would venture to ask the Government when the Oaths Bill would be brought in. He would venture to suggest that it should not be brought in until the Land Bill passed. He presumed that after the second reading they would soon be in Committee. He hoped the Bill would be passed in a reasonable time. The Parliamentary Oaths Bill was a Government Bill, and he hoped that the influence of the hon. Member for Carlisle with the Prime Minister would give some expectation that the Bill would soon be submitted to the House, when the House might decide whether to accept or reject it. If he might be allowed to make a suggestion to hon. Members opposite—["No, no!"]

—he would ask to be allowed to say this. Hon. Gentlemen opposite were not actuated by any personal feeling against Mr. Bradlaugh——

Mr. SPEAKER: The hon. Gentleman may make suggestions to the House; but he may not address any particular Members of the House.

Colonel MAKINS: I rise to Order. The hon. Member for Northampton, at the commencement of his remarks, stated that he would conclude with a Motion. If he does so, I presume he will be in Order? I wish to ask if that is not the case?

Mr. LABOUCHERE said, he did not wish to detain the House; but he appealed to the hon. Member for Carlisle and to hon. Gentlemen opposite whether they were actuated by any personal or malevolent feelings towards Mr. Bradlaugh. ["No, no!"] He asked them not to say "No, no!" in a hurry, but to think over the matter; and it was possible that if he was to bring in an Indemnity Bill for Mr. Bradlaugh, and considering that Mr. Bradlaugh was a poor man, as everybody knew—[*Cries of* "Question!" *and* "Order!"]—and had incurred considerable expense—[*Renewed cries of* "Order!"]——

Mr. SPEAKER: The hon. Gentleman is quite out of Order.

Mr. LABOUCHERE: Then he would ask his hon. Friend the Member for Carlisle to withdraw his Motion, and formally begged to move the adjournment of the House.

Sir WILFRID LAWSON said, he begged to second that Motion, as that was the most orderly course to pursue, and would enable him to state the position in which he and the House stood with regard to the Motion. He did not know whether the right hon. Gentleman would make a statement adverse to the Bill of the hon. Member for Northampton. With that he had nothing to do. He merely wished to explain why he gave Notice of what he intended to do. The Speaker had read a letter from Mr. Bradlaugh at 12 o'clock on Wednesday, when there was hardly anybody in the House. He asked the Speaker whether the question of Privilege might be brought forward at half-past 4 o'clock, and the Speaker had said that it might. But he thought it better not to do so at once, but to give one or two days' Notice. He waited all that afternoon and found that nobody else took the matter up, and then on the Wednesday he gave Notice of the Motion which stood in his name in the Order Book. Now, that letter of Mr. Bradlaugh was a very important one. There was an important statement in it that the House had done something in absolute defiance of the statute—had, by actual physical force, prevented him from doing the duty imposed upon him by the express words of the statute. Mr. Bradlaugh had requested that the letter should be communicated to the House, and the Speaker had done so. When such a letter came from a Gentleman representing a large constituency, it ought to be dealt with in the House in some way or other. It was a grave charge, a serious charge, and he hoped the House would discuss it in a spirit totally free from bias. There was a real and grave Constitutional question——

Mr. SPEAKER: I must point out to the hon. Baronet that it is not regular on a Motion for the Adjournment of the House to discuss a Motion which is on the Paper.

Sir WILFRID LAWSON said, that the last thing he wished to do was to run counter to the Rules of the House; but he understood that this was a question of Privilege.

Mr. SPEAKER: It is not.

Sir WILFRID LAWSON said, that being the case, he would simply state what he intended to do. He had intended to move a Resolution declaring the Resolution of the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) illegal, because he believed it was illegal; but the Speaker had stated that the most regular course would be to move the rescission of that Resolution. He should have been very glad to have done that that evening; but he thought it would not be quite courteous either to friends or foes to bring that Motion on without due Notice; and it would be very like taking the House by surprise. [*Cries of* "No, no!" *and* "Go on!"] Some Members said "No, no!" but that was his humble opinion. But he would tell the House what he would do. He proposed, on some day of which he would give due Notice, to move his Resolution as a matter of Privilege. ["No, no!"] Mr. Speaker had told him that he was in Order. ["No, no!"] Very well, if that was not so, the Speaker could correct him. But he should not move his Resolution if hon. Members opposite would allow the Bill of the Attorney General to come on for discussion without having recourse to obstructive tactics.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Labouchere.*)

Lord RANDOLPH CHURCHILL said, he thought that the House must have been greatly edified by those proceedings. The House, perhaps, without knowing it, had been a witness of a most carefully conceived and well got-up burlesque. The House must bear in mind that Mr. Bradlaugh and his Colleague in all these affairs acted under the inspiration of the Prime Minister and his Colleagues. [*Cries of* "Oh!" *and* "Withdraw!"] And the course of events—[*Continued cries of* "Withdraw!"]—had been extremely—["Oh, oh!"]—well arranged with Mr. Bradlaugh after his expulsion from the House. [*Renewed cries of* "Withdraw!"]

Mr. A. M. SULLIVAN said, he rose to Order. He did not know whether he really heard the noble Lord correctly in imputing to the Prime Minister that he had inspired an hon. Member in a disorderly course which had resulted in his expulsion. He would ask whether it was in Order to impute to a Member of that House that he had inspired conduct which had brought down the censure of the House?

Mr. GLADSTONE: I venture, Sir, to enlarge the appeal of the hon. and learned Member for Meath. I having stated in my place within no great number of days that I had no communication whatever with Mr. Bradlaugh, I beg to put it to you, Sir, respectfully, but very directly, whether the noble Lord is in Order in stating, in direct contradiction to my assertion, that Mr. Bradlaugh has taken all his steps in this matter under the direct inspiration of the Prime Minister and his Colleagues?

Mr. SPEAKER: I am bound to say that, owing to the noise which prevailed at the time the noble Lord was speaking, the words spoken by him did not reach my ear. If the words imputed to him by the hon. and learned Member for Meath (Mr. A. M. Sullivan) were correctly imputed to him, they were quite out of Order.

Lord RANDOLPH CHURCHILL said, that after the statement of the Prime Minister he begged to withdraw unreservedly the statement he made. When he made it, he was bound to say he was perfectly in ignorance of the declaration the Prime Minister made the other day. He did not recollect it at all. But certainly he never intended to insinuate for a moment that the Prime Minister had any relation with Mr. Bradlaugh in his disorderly proceedings. All he ventured to say was this—that the whole course pursued by Mr. Bradlaugh had been of a nature always to gain the assent of the Government. That was a Parliamentary statement. What had occurred? Mr. Bradlaugh had written a letter to the Speaker after his removal from the House, and the Speaker, in the exercise of his discretion, communicated that letter to the House. He was bound to say there did not appear to him to be anything in that letter which necessitated so formal a communication. It only contained, in a more elaborate and enlarged form, what Mr. Bradlaugh stated at that Table. No doubt, Mr. Bradlaugh took that course after consultation with his friends, who were friends of great skill and experience, and with the view of raising a discussion. What took place? The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) immediately said he would call the attention of the House to that letter, and he gave Notice on the same day of a Motion declaring that the Resolution of April 26 was illegal. He would explain to the Prime Minister why he (Lord Randolph Churchill) thought this step was not taken without consultation with some Member of the Government, if not with the Prime Minister. When the hon. Member for North Warwickshire (Mr. Newdegate) asked the Prime Minister yesterday what course he proposed to adopt with regard to the Oaths Bill, the Prime Minister said it would be impossible to state that until the House decided upon the Motion of the hon. Baronet the Member for Carlisle, showing perfectly clearly what it was open to anyone to infer. [*Cries of* "No, no!"]

Mr. NEWDEGATE begged the noble Lord's pardon. What the Prime Minister did say in answer to his Question was that he could not reply to the Question because he did not know what would be done with the Motion of the hon. Baronet the Member for Carlisle.

LORD RANDOLPH CHURCHILL said, it was the celebrated difference between tweedledum and tweedledee. There was not the smallest difference whatever. The hon. Member for North Warwickshire put the Question, what course the Government was going to take with the Oaths Bill, and the Prime Minister replied that he could not state until the House had decided upon the Motion of the hon. Member for Carlisle. It was perfectly open to the House to infer that the Motion of the hon. Member for Carlisle was brought forward with the assent of the Government and would receive the Government's support. ["Oh!"] That was the opinion largely shared by hon. Members on this side of the House —that, until the House decided upon that Motion, the Government would not proceed with the Oaths Bill. What had taken place since? It had been ascertained by sources of information open to the Government that if the hon. Baronet the Member for Carlisle brought forward that Motion, it would be rejected by a large majority, who would not declare their former action to have been arbitrary and illegal; upon which the hon. Member for Northampton—and he asked the House particularly to mark this—got up, and, though doubly interested in getting Mr. Bradlaugh into this House, he appealed to the hon. Member for Carlisle not to bring forward that Resolution, because the Government would not support it, and the Government would not support it because the House was going to reject it. And he wished to point out to the House further, to show how completely the hon. Member for Northampton was in accord with the Government, that he asked the House to postpone legislation in regard to the Oath until the Irish Land Bill should have passed the House—somewhere about July 30 or August 15. The whole transaction, as he had said, was a carefully got-up burlesque. A fly was thrown over the House to ascertain whether, by hook or by crook, Mr. Bradlaugh could be brought into the House. The hon. Member for Carlisle had only for the moment withdrawn his Motion, and now arose the question of procedure. The hon. Member for Carlisle said he would hold his Resolution *in terrorem* over the House, so that if the House would not agree to any measure initiated or devised by him, he would bring forward his Motion on any day he thought expedient. Mr. Speaker ruled yesterday that the Motion was of a privileged character. In his (Lord Randolph Churchill's) part of the House they did not understand that ruling, for when the Prime Minister last year brought forward a Resolution of an identical character, asking the House to rescind a Resolution of precisely the same kind as this one, Mr. Speaker ruled that it did not partake of a privileged character. They were unable to see the difference between the Motion of the hon. Member for Carlisle and the Motion of the Prime Minister last Session. There could be no doubt whatever that the essence of Privilege was the immediate character of the Question or Motion. The reason of the Privilege was that the nature of the subject was so urgent that it could not wait, and that all other Business must give way before it. The Speaker would, he hoped, rule that if this Motion was not proceeded with at once, it entirely and utterly lost its privilege. That was a point on which he particularly desired a ruling, so that this Motion might not be held over them *in terrorem* by the hon. Member for Carlisle. He also hoped the Prime Minister would answer the Question put to him by the hon. Member for Northampton, and state the course he proposed to take with the Oaths Bill —whether he intended to put it off till the Greek Kalends, or to take it immediately. There was no use keeping the House in the dark on a subject which, as the hon. Member for Northampton said, involved a great Constitutional question. The hon. Member also asked what would be the fate of any Bill of Indemnity he might bring in? Speaking only for himself, he would be glad to see him introduce the Bill, and would be ready to support him, for there was no doubt the action Mr. Bradlaugh took was entirely owing to the remarkably imprudent advice given by the Law Officers of the Crown; and, Mr. Bradlaugh having acted upon it, the Government must pass a Bill of Indemnity, or put down a Vote for him on the Estimates. No one on the Opposition side of the House would object to such a Bill. Turning to another point, he wished to draw attention to the Resolution under which Mr. Bradlaugh was allowed by the House to affirm. At the instigation of the First Lord of the Treasury, that Resolution had been placed among the Standing Orders of the House. Now, the Courts of Law had declared that Affirmation by Mr. Bradlaugh was illegal; and therefore he wished to know whether the right hon. Gentleman would move a Resolution proposing that the Motion permitting Mr. Bradlaugh to affirm be expunged from the Records of the House? A Standing Order which invited Members to take action which had been declared illegal, and which subjected them to the heaviest penalties, was a disgrace and discredit to the House of Commons. The First Lord of the Treasury, having compelled the House to place the Standing Order on its Books, was the proper person to move that it be removed.

Mr. GLADSTONE: Sir, I shall begin by answering the Question which the noble Lord last put to me, because in his speech he has raised so many points, especially respecting the engagements of the Government, that I am unwilling to delay answering them while they are in my recollection, as otherwise I might forget them. He asks me whether I will move to rescind a very discreditable Resolution, which he says I induced the House to pass. I am not aware of any discreditable Resolution taken by the House at my instigation last year, and I am not aware that it is in my power to compel the House to remove a Resolution from its Records. As regards the Resolution, I have not made any examination of it lately, and therefore if I give a reply now it is subject to correction; but according to my recollection the Resolution simply disclaims a dictum which this House does not possess. [Lord Randolph Churchill: The Resolution allows anyone to affirm.] It disclaims any jurisdiction as to whether certain persons are entitled to affirm or not. If you deem that to be a very discreditable Resolution, I am not at present advised, but, subject to consideration and further examination of it, I have no intention of the kind referred to by the noble Lord. The noble Lord, after he had withdrawn one disorderly affirmation under the authority of the Chair, proceeded to other affirmations very much in his own manner. It seems to me that the noble Lord hazards affirmations upon speculation. Sometimes they refer to what he supposes has been done by individual Members of the Government outside the House; sometimes to what he supposes has been done inside the House itself; and he makes them upon the chance of getting contradicted or not, as the case may be. Well, the noble Lord went stumbling on until he made three assertions about the Government, for not one of which is there the slightest foundation. He says, in the first place, that the Government assented to the proceedings of Mr. Bradlaugh. The Government has assented to no proceedings of Mr. Bradlaugh. ["Oh!"] It is not to assent to the proceedings of any man when you affirm that, in your opinion, the cognizance of that proceeding is beyond your competence and jurisdiction. Our doctrine has been all along that it belongs to others to assent to or dissent from, to authorize or condemn, the proceedings of Mr. Bradlaugh. I hold that that is not a distinction between tweedledum and tweedledee. It is a very broad distinction palpable to the common sense of anyone. But the noble Lord went on to say that we were now acting in concert with my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). That, again, is totally inaccurate. The Order of the Day which was under our charge was postponed before my hon. Friend had made public intimation on the subject of his intention to proceed with a Resolution in this House, and the two matters were totally disconnected. Then the noble Lord says that I stated that it was totally impossible for me to say anything upon the subject of the proposed Oaths Bill until the House should have disposed of the Motion of the hon. Baronet. I said nothing about it being totally impossible. What I said was that, as the Order of the Day stood for next Tuesday, and the Motion of the hon. Baronet for to-day, it appeared to me that it would be convenient that I should watch the fate of that Motion before making any declaration of intentions. The noble Lord also said that we are in concert with the hon. Member for Northampton (Mr. Labouchere) in regard to the course which he has taken to-day; but that happens, also, to be totally inaccurate and unfounded. The hon. Member for Northampton courteously made a communication last night to my noble Friend near me (Lord Richard Grosvenor), which was communicated to me a few hours ago. That communication did not at all invite my noble Friend to enter into negotiations with the hon. Member, but announced that the hon. Member intended to-day to make an appeal to the hon. Member for Carlisle. Therefore, Sir, we have no more to do with the proceedings of the hon. Member for Northampton than with the proceedings of the hon. Member for Carlisle. I am bound to say that the Notice of the hon. Member for Northampton did not make any reference and did not include any matter in which I am concerned. It was a Notice that he would make an appeal to the hon. Baronet the Member for Carlisle; but instead of, or rather in addition to, that, the hon. Member made an appeal to myself. Well, I am about to answer that appeal, which I consider a perfectly legitimate appeal. In order to explain that which I am about to say as to what we propose to do I had better, I think, refer in very few words to that which we have done. When the great difficulty arose, and those scenes, painful to us all, occurred in connection with Mr. Bradlaugh, a question was raised whether that difficulty might not be got rid of on the principle, which has been repeatedly pointed out as the only true basis of dealing with the question—namely, a general measure which would dispose, not only of this particular case, but of all cases that could ever come within a similar category as to the option between taking the Oath and making a Declaration. However, in the state of the Business of the House, and with the sense which I have entertained all along, and which, if possible, increases from day to day, of the paramount importance of the Irish Land Bill, I was not disposed to charge myself or the Government with any new engagement of a serious character—I mean of a character likely to make any sensible demands upon our time. But on communication in various quarters we did certainly receive the impression that a proposal of the nature which has since been indicated by my hon. and learned Friend the Attorney General was a proposal likely to be opposed by a section of Members of the House, some of whom I see opposite, and who very frankly gave Notice of their intention to that effect; but that, nothwithstanding, the proposal was likely to receive a very large and general assent. [Mr. WARTON: No!] We had that impression, and thought it was correct. I had no doubt that those Members to whom I have referred would have stated their objections in a manly and outspoken way, and that when they found they were not largely supported they would have given way to the general sense and opinion of the House. It was with that expectation that my hon. and learned Friend the Attorney General made known to the House his intention to submit a proposal for legislating on the subject; but I am bound to say that we learnt by degrees that our impression did not correspond with the facts. In the first place, we found that hon. Gentlemen opposite were disposed to resist almost *en bloc* the granting of a Morning Sitting for the purpose of ascertaining the judgment of the House; but I am bound to say — and it would not be candid or ingenuous if we did not admit it—that when we tried that case on a second occasion we were made aware that, while Gentlemen opposite were disposed to assume a large and active share in resistance to a Morning Sitting—which we understood to be resistance to the principle of the Bill—there were many hon. Gentlemen on this side of the House who showed their reluctance, by their absence from the division, to take any part in the matter. That being so, it became clear to me that the subject would require further consideration; and consequently I have arrived at the conclusion that it is our duty to adjourn the further consideration of our course in this matter until we have absolutely, or in substance, disposed of the Irish Land Bill. As far, therefore, as we are concerned, that Order practically will be no more heard of until we have reached that point in our Parliamentary progress.

MR. NEWDEGATE begged to apologize to the noble Lord the Member for Woodstock (Lord Randolph Churchill) for having interrupted him while speaking; but he had felt it due to the right hon. Gentleman the Prime Minister, and the House itself, to correct the erroneous impression entertained by the noble Lord as to the nature of the reply to the Question which he (Mr. Newdegate) had addressed to the right hon. Gentleman. He now wished to call attention to this —that the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) seemed to think that he was entitled to keep the question of Privilege as long as he liked in his pocket. This appeared to him (Mr. Newdegate) to be quite contrary to the clear understanding upon which questions of Privilege were raised in the House. He would, therefore, suggest to the hon. Baronet that if he meant to raise the question of Privilege, it would not be respectful to the House if he did not, within the next two or three days, move in the matter. Every question of Privilege took precedence of all other Orders, all other Business in that House; and the House had a right to know when its regular Business was to be thus interfered with and to be superseded. He hoped, therefore, that the hon. Baronet would understand that promptitude in Motions of Privilege was essential. He (Mr. Newdegate) had, during his long experience, known many questions of Privilege raised in the House, and had never known them allowed to stand over more than a day or two. He was afraid that the hon. Member for Northampton (Mr. Labouchere) had given too accurate a description of the manner in which the question of the alteration of the Oath taken by Members was to be dealt with by the Government. The question was not a small one. A question which affected the constitution of the House was of far greater importance than any Irish question. It was a matter of Imperial importance; and he thought the House had a right to complain of the statement made by the Prime Minister when he told them that he would virtually act upon the advice of his substitute, the hon. Member for Northampton—and who seemed to expect to be his successor—that he should press the Irish Land Bill forward, and, when the House became thin and weak at the end of the Session, then proceed with the Oaths Bill, as the hon. Member for Northampton had informed them, *de die in diem.* This suggestion — that Her Majesty's Ministers should take advantage of the House — would not, he hoped, be accepted by the Government. Throughout the country this question as to the Paliamentary Oath was regarded as one of the greatest importance. He received letters on the question day by day; some of them expressing a hope that he would vote in favour of a measure to admit the elected Member for Northampton to a seat in the House, some accompanied by threats. But the vast majority of the communications he received deprecated, in terms which did high honour to the writers, the proposal to introduce a Bill for the admission to a seat in that House of a person who was not allowed to take an oath in a Court of Law, and whom the Courts of Law had decided to be unfit to pronounce the solemn affirmation which, by law, was in some cases substituted for the oath. The feeling of the country was opposed to any such proceeding; and, while he hoped the House would insist that the hon. Baronet the Member for Carlisle should not continue to trifle with the question of Privilege, he desired to say, on behalf of the great majority of those from whom he had received communications on the subject, that they would regard it as a grave departure from his duty by the Prime Minister if he attempted, by deferring the question and taking advantage of the weakness of the House late in the Session, to pass a measure which they firmly believed would powerfully affect and would essentially damage the constitution of the House of Commons.

Colonel MAKINS said, that yesterday the Speaker had intimated his opinion that the word "illegal" had better be expunged from the Resolution, because the word might be misconstrued to mean a want of respect to the House. The hon. Baronet the Member for Carlisle had not, however, withdrawn the word, and it had even been repeated by the right hon. Gentleman the First Lord of the Treasury. If the former Resolution of the House were illegal, there must be a remedy, and if there were no remedy there could be no illegality. It was not only disrespectful to the House to use such a term as "illegal," but it was an absolute absurdity to put such a Resolution as that of the hon. Member for Carlisle on the Order Book of the House.

Mr. J. G. HUBBARD said, he had heard with no satisfaction that the hon. Member for Carlisle did not intend to proceed with his Motion, for the discussion of which he had come prepared.

The sitting Member for Northampton asserted that that borough was at present inadequately represented; but he did himself injustice in that assertion, for no borough could be more efficiently represented, according to the views of the majority, than that which he represented. It was now evident that the Government Bill was to be introduced, not to deal with the subject of the Parliamentary Oath generally, but specially with the object of relieving and with introducing into that House the unqualified Member for Northampton. He denied that there was any foundation for the insinuation which had been brought against the Members of the Opposition, that they were actuated in this matter by feelings of malevolence towards Mr. Bradlaugh. What they were actuated by was a desire to prevent the House being implicated in a great insult offered to Almighty God. Judging from what he had heard from hon. Members on both sides of the House, the Prime Minister and the Attorney General would, if they attempted to force this Bill through the House and went to a division, be very much surprised to see the defections in the ranks of their supporters. This question was of a very much larger character than those who sat upon the Treasury Bench appeared to think, and he was perfectly satisfied that if time were given for the object of the measure to be fully understood throughout the country, such a feeling would be excited against it that the Prime Minister would be only too glad to wash his hands of it altogether, and to go on with the Public Business of the House.

SIR H. DRUMMOND WOLFF said, he would not have taken part in this discussion had it not been for an observation which had just fallen from the Prime Minister. The right hon. Gentleman was in such a hurry the other day to introduce this Bill, that he was desirous of putting the House to very considerable inconvenience to carry out that object, and it was only in consequence of the feeling manifested on the part of a large number of hon. Members on both sides of the House that he withdrew his demand for a Morning Sitting on Tuesday for the purpose of bringing in this Bill for the relief of the junior Member for Northampton. But although the right hon. Gentleman had been in such a hurry to bring in this Bill at that time, he now appeared to be desirous of putting off its introduction to the Greek Kalends. The right hon. Gentleman, not, perhaps, exactly by design, but at all events by the result of his action, now left the House at the mercy of the hon. Baronet the Member for Carlisle, who said in substance that he would not bring on his Motion then, but would flutter with it over the House during the whole of the Session, ready to swoop down on some private Members' night, and to bring it forward as a question of Privilege in the hope of snatching a division on it. In these circumstances, he desired to put a Question of Order to the right hon. Gentleman in the Chair. Last year, when the Prime Minister brought forward his rescinding Motion, the right hon. Gentleman in the Chair ruled that it could not be brought forward as a question of Privilege. Mr. Bradlaugh having written a letter a few days since to the Speaker, the right hon. Gentleman in the Chair ruled that the Motion of the hon. Baronet the Member for Carlisle in reference to it was one of Privilege, which would take precedence of other Business. Doubtless the right hon. Gentleman in the Chair had some good reason for this apparent divergence in his ruling. It was laid down in the work which he (Sir H. Drummond Wolff) made his principal study, Sir Erskine May's *Parliamentary Practice*, that a question of Privilege was treated as urgent because it was necessary that it should be decided at once. He could understand the right hon. Gentleman's ruling yesterday, because Mr. Bradlaugh's interests, which were paramount with the Government, required that the matter should be treated as one of urgency. But in that case surely the question should have been brought forward and decided at once. He could not understand, however, a question of Privilege being allowed to hang over the House week after week, like the sword of Damocles, to be brought on at any unguarded moment. He, therefore, begged to ask the right hon. Gentleman in the Chair to give a decision on the point, because although it might be very convenient to the Government to postpone the introduction of this Bill to some indefinite date, and to the hon. Baronet the Member for Carlisle to have his little flutter, such a course would not tend either to the convenience or the dignity of the House.

Mr. SPEAKER: The hon. Member for Portsmouth, who spoke last, has referred to the valuable work of Sir Erskine May in connection with this matter, and I cannot do better than read the paragraph bearing on this question. It is as follows:—

> "In order to enable a question of Privilege to be discussed it must refer to some matter that has recently arisen which directly concerns the Privileges of the House, and calls for its present interposition."

When I communicated to the House on Wednesday last that I had received a letter from Mr. Bradlaugh, the hon. Baronet the Member for Carlisle asked me whether a Motion founded on that letter would take precedence as a matter of Privilege. Founding myself on the passage I have just read, I had no hesitation in telling the hon. Baronet that such a Motion properly framed and founded on that letter would have precedence. The question then arose whether the matter could be treated as a question of Privilege on a future day, and I stated that it appeared to me if it were put off for the convenience of the House the hon. Baronet would not forfeit his claim by so doing. The hon. Member for Portsmouth draws my attention to what occurred last year. I then stated from the Chair, in reference to the Motion of the First Lord of the Treasury as to the case of Mr. Bradlaugh, that it was not a case of Privilege and could not have precedence. That case and the case now under the consideration of the House are very different. In the first place, the Motion of the right hon. Gentleman referred to other Members as well as to the case of Mr. Bradlaugh. That case had been before two Select Committees, and also in various forms before the House for some months, and it could not be said to be a Motion of that character which required the instant interposition of the House, or that it was of such a kind that it was entitled to have precedence as a question of Privilege.

Sir STAFFORD NORTHCOTE: Sir, I interpose reluctantly in this debate; but it is really important that we should know what we have to expect. The proceedings of the House with regard to Mr. Bradlaugh are perfectly well known to everybody, and they have taken this form—the House has refused to allow Mr. Bradlaugh to go through the form of taking the Oath, and he having refused to accept the decision of the House as legally binding and having resisted the authority of yourself, Sir, the House has come to a Resolution by which Mr. Bradlaugh is excluded from its precincts until he shall engage not to disturb the order of the House. So far, therefore, we stand upon a footing which enables us to carry on our Business properly. I say nothing with regard to the proposal which the Government have made to introduce a Bill to deal with the question of the Parliamentary Oath further than this, that I entirely protest against the doctrine laid down very boldly, distinctly, and repeatedly by the hon. Member for Northampton that the Bill is one for the relief of Mr. Bradlaugh personally. That was a very distinct statement made by the hon. Member. If that is the light in which the Bill is to be viewed, I venture to say that the objections to it will become infinitely more serious than those which would, in any circumstances, be taken to it as a proposal to alter the Oath. That, however, is a question which we now understand the Government are not prepared to press forward at the present time, although they give us notice that they will take it up by-and-bye, when they shall have got through certain other Business. We desire to know what in the meantime is to be our *modus vivendi* with regard to the interruption of our Business, not by Mr. Bradlaugh himself, but by his Colleague and his Friends, who may from time to time bring forward Motions on which the Resolution of the 26th of April may be discussed over and over again? We must clearly have some understanding on this subject. The hon. Baronet the Member for Carlisle stated that his course with respect to his Motion must depend upon the course which the Government might take with regard to the Parliamentary Oath.

Sir WILFRID LAWSON: What I meant to say was that my bringing forward of the rescinding Resolution would depend on the amount of obstruction given to the Attorney General's Bill.

Sir STAFFORD NORTHCOTE: I am more puzzled than ever. The Irish Land Bill is nothing to it. Are we or are we not to be subject to continual

Motions as to the illegality, or the supposed illegality, of the Resolution of the House; and is the power of making Motions on the subject to be a continuous power? Is it a power that will continue for an indefinite series of weeks or months? If there is an immediate necessity of dealing with the question, no doubt we ought to proceed to consider it. I can quite understand that it might be so held—that the letter of Mr. Bradlaugh raised a question which seemed to touch the Privileges of the House, and it might be a very proper and necessary thing to take notice of it. But if it is a matter for weeks, possibly even for a longer time, I think that seems to have disposed of any claim of precedence which could possibly be made by the hon. Gentleman. This is a question which, whatever we may say of the views taken on one side or the other, deeply interests us, and deeply interests the country. It would be scandalous if a sudden decision were taken on a question of this sort without a full and proper opportunity for considering it. I cannot for a moment believe that the hon. Baronet would wish to obtain a decision in that way; but what we want to know is whether the hon. Baronet will give a distinct assurance that, under the circumstances as they stand, it is not his intention—or if it is his intention we should be glad to know whether it would be with your sanction, Sir, that such a step should be taken—to bring forward his Motion and to claim precedence?

MR. WHITBREAD said, that Mr. Speaker had ruled that it was perfectly competent for the hon. Baronet, or for any other hon. Member, to have brought this question forward upon the reading of Mr. Bradlaugh's letter as a question of Privilege, and that he did not forfeit that right by postponing it for a reasonable time and for the convenience of the House; but he submitted that it would be a straining of that power beyond what was right and proper for the hon. Baronet to say he would bring forward his Motion at some indefinite and distant day when it might suit his convenience. The hon. Baronet further weakened his case by attempting to couple with it a sort of condition that his bringing it forward would depend very much upon the conduct of the Opposition. He (Mr. Whitbread) was of opinion that the hon. Baronet had, by the course he had taken, really forfeited his right to bring his Motion forward on some future day.

SIR WILFRID LAWSON said, he understood from what had passed from the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) that it would be a very abnormal course if he followed out what he suggested in his former speech. He (Sir Wilfrid Lawson) wished to take that course, because he thought it better that full Notice should be given of the rescinding of a Resolution. He believed he did not withdraw the Motion. Therefore, in that case, it dropped, and he should not be able to take that course. But, as Notice was given that night that he should call attention to Mr. Bradlaugh's letter, he should like to ask whether, after what had taken place, he should be allowed then that evening—[*Cries of* "No, no!" *and* "Yes!"] —whether he should then be allowed to move on the letter these words—

> "That the Resolution of April 26, 1881, forbidding Mr. Bradlaughto take the Oath, be rescinded as subversive of the rights of the whole body of electors?"

MR. SPEAKER: The course proposed to be taken by the hon. Baronet must be subject to the usual Rules in regard to alterations of Notices of Motion that have been placed before the House. Now, it appears to me that there is one expression which I caught from the hon. Baronet which certainly imports into the Resolution new matter. Thus he speaks of the proceedings of this House as subversive——perhaps the hon. Baronet will read it again.

SIR WILFRID LAWSON said, the Motion he read was an exact copy of a Motion passed in 1781, with the exception of the word "subversive," which he substituted for the word "expunged." It was as follows:—

> "That the Resolution of April 26, 1881, forbidding Mr. Bradlaugh to take the Oath, be rescinded as subversive of the rights of the whole body of electors."

MR. SPEAKER: The point I have to consider is this, whether the Resolution in its altered form imports new matter not contained in the original Resolution; and in the original Resolution there was no expression whatever with regard to the rights of electors. I think if the hon. Baronet was to—if he will allow me to say so—terminate the Resolution at the word "rescinded," he would be quite in Order.

Mr. LEWIS said, he should like to call attention to the position which the House was then in. ["Order!"]

Mr. SPEAKER: I must point out to the House that the Motion now before it is one for adjournment.

Sir WILFRID LAWSON said, he had supposed that this Motion for rescinding the Resolution of the right hon. Gentleman opposite, arising, as it did, upon the letter which had been received from Mr. Bradlaugh, would be considered a question of Privilege, and that he should have the opportunity of proceeding with it after the Motion for the adjournment of the House had been disposed of.

Mr, SPEAKER: I am of opinion that if the hon. Baronet put his Motion in a regular form, he will be entitled to bring it on as a question of Privilege.

Mr. LEWIS said, he wished to draw attention to the serious position in which they were now involved by the most extraordinary proceedings of that evening. After the speech of the Prime Minister, quite 50 Members disappeared from the Conservative Benches in consequence of the statement, most distinctly made by the hon. Baronet the Member for Carlisle, that it was not his intention to proceed with his Motion that night. Under these circumstances, he hoped a mine would not be sprung on absent Members. It would be foreign to the spirit of the House, and opposed to all gentlemanly feeling, to discuss the Motion then; although to do so might possibly be only of a piece with the whole of that wretched affair. On Wednesday afternoon, after a long debate, the hon. Member for Northampton, who was sitting on the opposite side of the House, got up and said distinctly that he understood it to be the general feeling of the House that some measure should be introduced for the purpose of getting rid of the difficulty. Other Members got up and repudiated that suggestion. The noble Lord the Member for North Leicestershire (Lord John Manners) distinctly declined to promise on his own part, or on the part of those who sat near him, support to any such measure. He (Mr. Lewis) ventured to get up, and, amid cheers, declined to have anything to do with that Bill, but claimed to be at liberty to oppose it at every stage. On the present occasion they were told that, after all, this question was to be introduced as a question of Privilege. He trusted the hon. Member for Carlisle would at once see the impropriety of proceeding in the way he had suggested. He desired to draw the Speaker's attention to a matter which appeared to have escaped his recollection, although it had been referred to by one or two Members. It was, whether, if the hon. Baronet did not proceed with his Motion for a week, a fortnight, or three weeks hence, it would still be competent for him to claim Privilege for it?

Mr. SPEAKER: I thought I had made it plain that the hon. Baronet could not postpone indefinitely a Motion founded on the letter of Mr. Bradlaugh, and still claim precedence for it as a matter of Privilege.

Mr. BERESFORD HOPE said, that the hon. Baronet the Member for Carlisle, in answer to an appeal from the hon. Member for Northampton, had disdinctly intimated to the House that he would withdraw his Motion. He, therefore, wished to ask the Speaker whether it was competent for the hon. Baronet first to give Notice of withdrawing a Motion, and then capriciously to declare his intention of bringing that Motion on at a later hour of the night, especially when a number of Members had left the House in consequence of his intimation that it would be withdrawn?

Sir WILFRID LAWSON said, he was anxious to put a stop to that controversy. He withdrew his Motion at the beginning of the evening on the understanding, as he then thought, that he should be able to bring it on in a few days' or a week's time. In the course of the discussion it appeared that he could not do so, and then it occurred to him that he might not get another chance, and that it would be better that he should that night make the Motion, the terms of which he had read to the House. But it was stated that hon. Gentlemen on the other side of the House had gone away not expecting the Motion to come on; and, therefore, although Members on his side might be ready to discuss the question, he did not think it would be fair to proceed with it that night, as that course might be held to be a surprise. Whether he should be able to bring the question on another night was another matter.

Mr. LABOUCHERE said, the Bill of the Government had been described as a Bill for the relief of Mr. Bradlaugh—[*Cries of* "Order!"] — but it was not specially for that Gentleman's relief. [*Renewed cries of* "Order!"] He asked leave to withdraw the Motion for adjournment.

Mr. BIGGAR said, that before the discussion closed he wanted to say that the wasting of time on a question of this sort came with a very bad grace from the Government. They had arrested his friend John Dillon at a period when a subject in which he was deeply interested was being discussed in this House, and they had thus partially disfranchised Tipperary. There was nothing of remarkable interest for the borough of Northampton coming on, so far as they knew, during the present Session; and he would therefore suggest that the question of the disfranchisement of that constituency should be allowed to stand over until next Session.

Mr. LYULPH STANLEY remarked, that many Gentlemen on that (the Ministerial) side did not view the Bill of the Government as a Bill for the relief of Mr. Bradlaugh, but as a Bill for the relief of the House of Commons from the difficulty in which it had placed itself. He believed that Mr. Bradlaugh was legally entitled to take his seat, and that the House had placed an illegal impediment in the way of his doing so. The House of Commons had before then committed itself in an unguarded moment, and been afterwards obliged to eat its words. He believed that the same thing was likely to happen again, and that, unless some means were found for getting out of the difficulty, the House would appear in a humiliating position before the country.

Motion, by leave, *withdrawn.*

## MONUMENT TO THE EARL OF BEACONSFIELD, K.G.

### HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (Lord Kensington) *reported* Her Majesty's Answer to the Address, as followeth:—

*I have received your Address praying that I will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the Memory of the late Right Honble. Earl of Beaconsfield, K.G., with an Inscription expressive of the high sense entertained by the House of Commons of his rare and splendid gifts, and of his devoted labours in Parliament and in great Offices of State; and assuring Me that you will make good the expenses attending the same.*

*And I shall give directions in accordance with your Address.*

## ORDERS OF THE DAY.

## SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## MINISTER OF AGRICULTURE AND COMMERCE.—RESOLUTION.

Sir MASSEY LOPES, in rising, pursuant to Notice, to move—

> "That it is desirable that the functions of the Executive Government which especially relate to Agriculture and Commerce should, as far as possible, be administered by a distinct department, and be presided over by a responsible Minister of the Crown,"

said, that he could claim no novelty for the subject-matter of the Resolution which he was about to submit to the consideration of the House. The subject had been frequently discussed before both in that House and also outside its walls. The two Chambers which represented respectively the interests of Agriculture and of Commerce had urged upon successive Governments the necessity of appointing a Minister with a distinct Department, whose special business it would be to watch over the combined interests of Agriculture and Commerce. Joint deputations from those Institutions had repeatedly gone to the Government and endorsed and advocated that policy; and during the last Parliament a Resolution very similar to the one which he had now the honour to submit to the House was proposed by Mr. Sampson Lloyd, the late Member for Plymouth, in a most able and exhaustive speech. That Motion was supported by hon. Members on both sides of the House, and carried by a considerable majority. But the matter had dropped, and nothing further had been done. On that occasion, there was no difference of opinion with reference to the main issue — namely, the appointment of a special Minister;

but some exception was taken with regard to the latter part of the Resolution, which made it imperatively necessary that the Minister who presided over the combined interests of Agriculture and Commerce should be a Cabinet Minister. He (Sir Massey Lopes) did not intend to attach that condition to the present Resolution, not because he did not think it necessary that a Minister presiding over the combined interests of Agriculture and Commerce should be a Minister of the first rank, but because he felt that if those combined interests were to be represented by a Minister with a separate Department, the position of that Minister must necessarily be paramount. That would follow as a necessary and natural consequence, as a simple and certain corollary. It was quite right that a Prime Minister should be able to exercise some discretion in the selection of his Cabinet; but no Prime Minister, be he ever so popular or powerful, would be able to resist public opinion; and though it might be invidious to particularize, all must admit that the combined interests of Agriculture and Commerce would have far higher claims to be represented in a Cabinet than many of those Offices which had hitherto enjoyed, or even now enjoyed, that distinction. This was no Party question. It was a question of policy rather than of Party, and one in which both sides and all sections of the House took an interest. The days were, happily, past when the interests of Agriculture and Commerce were supposed to be antagonistic. Their interests were so interwoven and dependent one upon another, that they both considered that there would be a mutual advantage in one Department representing their interests. There was no feeling of jealousy or rivalry between Agriculture and Commerce, and the same Minister could supervise both interests. In pressing this Motion, it was hardly necessary to dwell upon the magnitude of the interests of Agriculture and Commerce, or to attempt to show that these combined interests were of sufficient importance to justify this special consideration. These two industries were the bases of our power as a nation; they were the source and foundation of all our national wealth; the welfare and prosperity of all classes were dependent upon them, and there was scarcely a person in the Kingdom who was not directly or indirectly maintained and supported by them. If they were to leave out of consideration the bare naked land, and to estimate the amount of capital invested in agriculture, they would have some idea of the magnitude of the interests involved. It was calculated that the amount of capital which had been invested in agriculture by the owners was £400,000,000. This might be called the fixed capital. Then there was the occupiers' capital, which was the movable capital, and that had been put at £380,000,000; so that they had the total of £780,000,000 invested by owners and occupiers, not taking into consideration the value of the bare naked land. On the authority of Mr. Caird, the average annual value of agricultural produce was £300,000,000. He need hardly say the last four or five years would hardly come up to the average. These Islands produced more produce for their extent and area of their cultivated land than any other country on the globe. England was admitted to be the greatest commercial country in the world. With reference to its commerce, it was easy to calculate the amount of capital, because they had the figures of the Board of Trade. The amount of the exports and imports for the last year amounted to £686,000,000. This total was made up of imports, £410,000,000; exports of British and Irish produce, £223,000,000; and the remaining £53,000,000 represented goods, Colonial and Foreign, imported into this country and exported again from it. These figures would give some idea of the magnitude of the interests involved. He would endeavour to advance a few reasons why they should have a distinct Department for Commerce and Agriculture, presided over by a responsible Minister in this country. There was a strong feeling abroad that the existing machinery of the Executive Government for these objects was incomplete, inadequate, and inefficient. There was a general impression that many functions which the State ought to exercise with regard to Agriculture and Commerce were either inefficiently performed or altogether neglected; that these interests were too important to be dealt with by subordinate Departments; that they suffered from inadequate representation; that there was no special or individual responsibility; that as commercial and agricultural interests had, by means of Chambers, for years past organized themselves and adopted representative institutions, that there should also be a separate Department of the Government to which they might communicate their wants and wishes, and that, by this means, a more ready intercourse and interchange of opinion might be effected, which would be conducive to the interests of all concerned; that if such a Department had existed, it would have been able to have given valuable assistance to the Royal Commission now sitting, by collecting and forwarding evidence and giving its opinion respecting the causes of the present depression. Why was England the only important country that had not a responsible Minister and a distinct Department to supervize these two important interests? Other countries had adopted the system which he advocated; it had been found satisfactory and successful; and he was at a loss to know why they should be the only country in the world to neglect taking this prudent step. France, Austria, Germany, Belgium, Italy, Holland, almost every civilized State, and even Japan, had a Minister whose duty it was to attend to these great Departments; and the United States, our chief competitor in all agricultural produce, had a separate Department for Agriculture. His hon. Friend the Member for Mid Somerset (Mr. R. H. Paget) had asked a Question with regard to certain interesting documents relating to Agriculture in the United States; and some of those Papers were now in the Library, and they were most interesting. This Department in the United States superintended everything connected with Agriculture; it diffused the most useful information respecting seeds, plants, and manures; it reported annually to Congress, not only with reference to its own agriculture, but of that of all other foreign countries. Surely we, who are suffering so severely from this competition, needed equal facilities and opportunities. There was plenty of information to be got; but in this country it was no one's business to procure it. The Reports sent home by our Consuls were seldom tabulated or utilized. Had responsibility attached to one Department, greater attention would have been paid to our foreign Tariffs; our Commercial Treaties would have been more carefully considered; our Colonies would not have established hostile Tariffs against the Mother Country; we should have made more favourable terms for our manufactures when we repealed the Sugar Duties in 1864. But these would not have been all the advantages. We would not have had the Bankruptcy Laws, which were a scandal to this country, so long unsettled. Because no one Department was individually responsible for these matters our national interests had severely suffered; nay, more, they had been seriously imperilled. He wished to say something as to the anomalies of the present system. Those anomalies were palpable and patent to all. The various duties of the different Departments connected with Agriculture and Commerce were absurdly incongruous. Their affairs were distributed over so many Departments of the Government—which had no relation with one another—that it was impossible to get information without great inconvenience and loss of time. For instance, if one wanted to get any information about the Diseases of Cattle, he was referred to the Minister who looked after Art and Science, Education, and Religion; if one wished to hear something about Agricultural Statistics or Corn Returns, he was referred to the Minister whose main duty it was to look after Railways and Ships; while the right hon. Gentleman the President of the Local Government Board (Mr. Dodson), to whom they looked for information with regard to Public Highways, Roads, and Bridges, had for his main duty to look after Paupers. The result was that they never knew from what Member of the Government agricultural legislation was to come. The Agricultural Holdings Act was introduced in the last Government by his late lamented Friend the First Lord of the Admiralty (Mr. Hunt). But the greatest anomaly of all was the Board of Trade. The Board of Trade was a mythical body. It contained no Department of Trade at all. It was no Board. It never met as a Board. He believed the Lord Chancellor was a member of the Board, and also the Speaker; but he would not venture to ask the right hon. Gentleman whether he ever attended the Board. He contended that the designation was obsolete, and that it ought to be abolished. The Board of Trade, as it at present existed, had neither the necessary organization, nor did it possess the requisite power, to carry out its important functions. In the Board of Trade they had no Commercial Department to look after the Indian or Colonial Trade, or Commercial Treaties, or their Tariffs at home or abroad. If any illustrious foreigner were to ask any Member of the House the simple question, What Department of the Government in this country directed our commercial policy; or what provision was made with respect to our agricultural interests? he thought there would be considerable difficulty in giving any satisfactory response. The answer might be, "No one;" or "the Executive;" or "the Government generally," or, perhaps, "the Cabinet." If the latter were the correct answer, it might be thought to be another illustration of the truth of the old adage, that what was "everybody's business was nobody's." If the responsibility was distributed among the 12 or 14 Gentlemen who generally composed a Cabinet, each of whom had specific duties in his own Department, and more than sufficient to monopolize his entire time and attention, it would only be natural that they would postpone and neglect the consideration of those duties for which they were not individually responsible, and that, at all events, they would be inefficiently discharged. But he might be told that it was easy to criticize. What remedy did he suggest? It was not his duty to propose a remedy for an acknowledged grievance. His only object was to persuade the Government that the difficulty of arranging those matters was not insuperable; and if he ventured to suggest what duties might be transferred to a new Department, it must be understood that he was not attempting to lay down any hard-and-fast line, or desiring to dictate to those in authority. To carry out his object, he did not consider it would be necessary to re-organize all the other Departments, or to re-adjust their duties. It would not even be necessary to create a new Department; but it would be absolutely necessary that all the functions relating to Agriculture and Commerce, which at present were so irregularly and unsystematically administered, should be concentrated in one and the same Department. It was not necessary to create new work, but only to re-distribute existing work. They wanted one Minister with two separate or distinct Departments, each Department possessing separate and permanent official Staffs; one Department dealing exclusively with agricultural subjects, the other with commercial matters; and under the Minister he would like to see a Parliamentary Secretary attached to each Department. The Agricultural Department might include—(1.) Supervision of traffic, transit, and diseases of Stock, now under the Privy Council Office; (2.) the duties now discharged by the Copyhold Tithe and Inclosure Commissioners, and also agricultural legislation, now under the Home Office; (3.) the classification and circulation of all information received from Consular Agents, as well as the collection, tabulation, and publication of Agricultural Statistics and Corn Returns, now under the Board of Trade; and (4.) the administration of roads, highways, and bridges, now under the Local Government Board, might properly be transferred to this Department. All these Departments were at present heavily weighted; and their duties would be somewhat diminished, with benefit to themselves and with great advantage to the public. His hon. Friend the Member for Gloucester (Mr. Monk) would be more competent, as President of the Chambers of Commerce, to define the duties which should be transferred to the Commercial Department; but all would agree that they should include Tariff regulations at home and abroad, Treaties of Commerce, factory labour, &c. These new Departments should not be overburdened at first; they should grow gradually, and work should be transferred to them tentatively and by degrees. It had been said that at present the different Commercial and Agricultural Societies furnished more information of statistical and other kinds to the Board of Trade than the latter did to them. The Royal Agricultural Society had been of great use in that respect. Questions were often submitted by the Board of Trade to Agricultural Societies. He thought in those matters reciprocity should be established. There was only one industry in the country which was to any considerable extent supported by the Government, and that was mining. We wanted, in short, all matters connected with these two interests concentrated into one Department, where all legislative and administrative questions connected with them would be dealt with. We wanted one recognized authority, who would institute inquiries and initiate measures calculated to promote their welfare. We wanted to fix and concentrate responsibility. If the functions of the Executive Government were collected into one group, instead of being scattered over so many Departments, they could be more easily and efficiently managed. At present, there was no system or symmetry. There was a total absence of homogeneous classification. The affairs of Agriculture and Commerce were divided between the Home Office, Foreign Office, Board of Trade, Privy Council Office, and Local Government Board. We had separate Departments for Foreign, Colonial, and Indian affairs, for our Army and Navy; why should not the same care and distinction be given to these two important industries? It might, no doubt, be said that our Agriculture and Commerce had prospered without the interference of Government agency; but never, in recent times, had there been so great an agricultural depression as existed now. He did not think that the mere recurrence of bad seasons was a sufficient explanation of that depression. Foreign competition, which every year was becoming more keen and severe, and of which they could scarcely predicate the extent or result, was, no doubt, the chief cause of our suffering. All classes interested in the land were looking forward to the future with intense anxiety, and with no very sanguine expectations. Few farmers had made any profits the last four or five years; too many had been living on their capital, which was well nigh exhausted; and, to the great majority, another bad season would bring absolute ruin. In every county they heard of farms untenanted, but, what was worse, uncultivated, of insolvent tenants, and reduced landlords, and on many estates reduced rents barely paid the interests of mortgages and of charges settled upon them. Nor were the accounts received of the state of trade at all more encouraging. The Board of Trade Returns for the month of April showed a deficit of £1,500,000 of exports of British and Irish produce and manufactures, compared with the corresponding period of last year; and the Returns for the last four months were equally discouraging, showing a deficit of £500,000. It was found that our exports steadily diminished, and our imports increased. He did not feel so sanguine as some did with reference to any general revival of trade. He would ask what manufacturing industry was at present prospering? Was it the woollen trade of Bradford, where thousands of workpeople were weekly leaving these shores to seek their fortunes elsewhere? Was it the sugar, or the silk trade? Was it the cotton trade? If the production had not diminished, one thing was certain, that the profits were considerably less. Formerly, English Commerce had a monopoly; it was without a rival. Now, owing to Free Trade, and facilities of intercourse by sea and by land, foreign competition was pressing hard on home producers in their home markets. He did not wish to substitute State protection for private energy and enterprize; but he was of opinion that every reasonable facility and opportunity must be given, every impediment must be removed, if they were to hold their own in the unequal race in which Agriculture and Commerce were now embarked. He hoped that he should not receive from the Government the usual stereotyped answer, or a mere vague assurance that the question should be carefully considered. It had been taken up by the majority of the Chambers of Commerce throughout the country, and "carefully considered" by successive Governments for the last 20 years; and in 1879 a majority of that House declared in favour of the principles which he attempted to advocate; and outside those walls this proposal had the sanction of public opinion. In 1869, the then President of the Board of Trade (Mr. John Bright) said that he would strongly recommend a consideration of the question now before the House by the separate Departments, and he promised some reforms. Nothing, however, had been done, though 12 years had elapsed. In the absence, therefore, of a very clear and sufficient statement from the First Lord of the Treasury, he should consider it his duty to divide the House at the conclusion of the debate. It was no good to attempt to patch up the present system. That had been tried in 1864, and had failed. They could not afford to wait any longer. Foreign politics had necessarily of late years monopolized their time and attention. It was now time to look at home, and after their own interests. Those important industries, Agriculture, Trade, and Commerce — the source of all our national greatness—were unanimously of opinion that by such means only as he had attempted to indicate could a satisfactory consideration of their interests be secured, and they asked the Government, the Executive of the British House of Commons and of the country, to grant them a boon which they confidently believe would not only tend to further their interests, but also tend to promote the welfare and prosperity of all classes in the United Kingdom. The hon. Baronet concluded by moving the Resolution of which he had given Notice.

Mr. MONK said, he had much pleasure in seconding the Resolution. He should, however, have preferred a Resolution stating the expediency of giving Cabinet rank to a Minister of Agriculture and Commerce. His hon. Friend (Sir Massy Lopes) had referred to the sanction given by the late House of Commons to a similar proposal in 1879, which was brought forward by Mr. Sampson Lloyd, and adopted after a long discussion. It had become his (Mr. Monk's) duty in February last to transmit to the Prime Minister a Memorial from the Association of Chambers of Commerce in favour of the appointment of a Minister of Commerce and Agriculture. At the same time, he pointed out to the Prime Minister that the Resolution of 1879 had remained for nearly two years unchallenged in the Journals of the House, and reminded him that it had been supported by the right hon. Gentleman the present Chief Secretary for Ireland (Mr. W. E. Forster), by the right hon. Gentleman the present Vice President of the Privy Council (Mr. Mundella), and by the hon. and learned Gentleman the present Solicitor General (Sir Farrer Herschell), while no single Member of the present Government voted against it. The hon. Member for South Devon had made out an excellent case in favour of entrusting agricultural interests to a separate Department of the State. He pointed out the strong objections that existed to the interests of Agriculture being confided to three or four separate Departments. If that were so with regard to Agriculture, how much more was it the case with regard to the commercial interests of the country? The Board of Trade, the Foreign Office, the Colonial Office, and, he believed, the Lord Chancellor, with the Law Officers of the Crown, shared the cares and responsibilities of watching over the interests of Trade and Commerce in this country. The services of so many Departments being called in, the results were not likely to be satisfactory. His hon. Friend had shown that this was not the case in other countries. In France, Germany, Austria, Italy, and Belgium, the interests of Commerce and Agriculture were considered of sufficient importance to be confided to a special Department of the State. Some years ago—in 1864—the relations between the Board of Trade and the Foreign Office with reference to Commercial Treaties were considered by a Committee presided over by his (Mr. Monk's) right hon. Friend the Chief Secretary to the Lord Lieutenant of Ireland (Mr. W. E. Forster); and in consequence of their Report a Commercial Department was established in the Foreign Office. To some extent that had proved an improvement. No one, he was sure, whose duties had brought him into contact with the Under Secretary of State (Sir Charles W. Dilke) could fail to give him credit for zeal, courtesy, and singular ability. The same might be said of Mr. Kennedy, at the Foreign Office. But, in spite of all that, the arrangement had not proved quite successful. If he (Mr. Monk) were asked why, he should say there was too much mystery about the Foreign Office. A diplomatic atmosphere pervaded it which commercial men found absolutely chilling. They had an instinctive dread of the Foreign Office, and preferred resorting for counsel to the Board of Trade; but the duties of that Department had been so largely increased by recent legislation in reference to Merchant Shipping, Railways, and other matters, that it would be impossible to convert it into a Ministry of Commerce and Agriculture. There was ample room for a new Department. If he might be allowed to throw out a hint, he would venture to suggest that the noble Lord, so long and honourably connected with the Board of Trade, who had recently received the appointment of Lord Privy Seal (Lord Carlingford), must feel a thirst for work, and feel humiliated by occupying a sinecure Office, or, at all events, at the prospect of doing the work of odd man in the Cabinet. In conclusion, he would remind the Prime Minister that legislation was hanging fire, that the Bankruptcy Bill had made no progress, that the Law of Partnership required consolidation and amendment, that the Patent Laws required revision, while Bills of Sale were a scandal and a disgrace under the present law; and last—not least—the question of a new Anglo-French Commercial Treaty must be decided within a very few weeks. Under these circumstances, he expressed a hope that the Prime Minister would give his sanction to a Motion which had received the support of a Member of the Cabinet and of other Members of the Government.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that the functions of the Executive Government which especially relate to Agriculture and Commerce should, as far as possible, be administered by a distinct department, and be presided over by a responsible Minister of the Crown,"—(*Sir Massey Lopes*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE: Sir, when I heard the proposal of the hon. Member opposite (Sir Massey Lopes) described to me at the outset in general terms, I was afraid it was of a character similar to that of 1879, which undoubtedly it would have been my duty to resist. I could not, in any circumstances, consent to any Parliamentary Resolution going to determine by a vote of this House who should be, under all circumstances, constituent Members of the Cabinet. I shall not trouble the House with my reasons; but they are grave and serious. However, I am perfectly satisfied with the manner in which the hon. Member opposite has framed the Resolution and stated his case. What the hon. Member states is—"I am satisfied that there will be such a development of these functions, if you will only allow it, that the importance of the Minister will bring about a state of public opinion which will involve a sure corollary that the man who has such functions to discharge must be a Member of the Cabinet." Upon that footing I am perfectly ready to leave the matter. I am not so sanguine as the hon. Member may be as to the very rapid and early accumulation of those functions; but it is a perfectly fair statement. Then, again, the hon. Gentleman has very judiciously said that this is to be a union, "as far as possible," of the functions relating to Commerce and to Agriculture by a distinct Department under a responsible Minister of the Crown. I think that we have advanced a little further in this direction—a little further than the hon. Gentleman is, perhaps, aware of. There is certainly nothing unreasonable in the general proposition that those functions of Trade and Commerce should be associated together in the same Department. To that general proposition, qualified as it is by the practical consideration involved in the words "as far as possible," we are ready to assent. Let me, in passing, express regret that the hon. Gentleman should, as is not unnatural for him to do, have imported into this discussion references to the present state of Agriculture, which I agree with him in deploring. I am only sorry for it on this ground, that I fear lest it should lead to expectations in connection with his Motion, which expectations, if they presume that any great and rapid improvement will be brought about by any administrative change we could make, would be soon turned to bitter disappointment. I do not know whether the hon. Member is quite accurate in all his references to foreign countries. I am informed, for example, that there is nothing in the United States like a Minister of Agriculture, and that the Agricultural Bureau is simply statistical. I am also informed that they have no legislation whatever in the United States, even upon such important subjects as the contagious diseases of animals. Passing from that subject, I cannot quite admit that there has been a want of attention to the subject of foreign Tariffs owing to the want of a formal recognition of a Minister of Agriculture and Commerce. It was my fate to be Vice President, and afterwards President, of the Board of Trade during a period when this country was endeavouring to enter into foreign Tariff Treaties, and I say without hesitation that the machinery of the Government was perfectly adequate for the purpose. The failure of our attempts was undoubtedly on account of the difficulties inherent in the case, and was by no means due to any unfortunate dualism between the Board of Trade and the Foreign Office. We did after that conclude a great Commercial Treaty, which for the last 20 years has produced enormous benefits. But that was not done either by the Foreign Department or by the Board of Trade. It was done entirely as a matter of revenue by communications between the Treasury and Mr. Cobden, who was residing and practically representing this country in Paris. As at present advised, I am not aware whether any advantage with regard to the negotiation of Commercial Treaties would be gained by a change of arrangement, seeing that additional expenses have been incurred in the Foreign Office, and an additional establishment has been created in deference to the wishes of the commercial classes of this country. Quite apart from the subject of Tariff Treaties in this country, we have had in existence for nearly 60 years Reciprocity Treaties on the basis of equal dues and equal facilities, and Treaties on very sound principles thus have been made without any sort of conflict between the Foreign Department and the Board of Trade. I will explain to the hon. Member what I mean by acceding to this Motion. I understand myself to accede to this proposition—that a Department of State shall be created to take up and meet any demand which may arise in connection with Commerce or Agriculture; and of course we must look, in the first instance, to those demands which are proximate and within reach, and which mainly have been mentioned by the hon. Member. The office is hardly, at the present moment, to be made a question of title. The hon. Member has animadverted on the constitution of the Board of Trade as it now stands; but he has failed to do full justice to it, for he omitted to name one most distinguished and eminent member of the Board. He omitted to inform us that the first name upon the list of members of the Board is the name of the Lord Archbishop of Canterbury. I myself have a double interest in the Board, for I am not only one member of it, but two—as First Lord of the Treasury and as Chancellor of the Exchequer. There was a Board before, and it was Mr. Burke who abolished it, it is supposed, about the year 1780, because, as he described it, there were eight Members receiving £1,000 a-year for doing very little, in order that they might, when superannuated, receive £2,000 a-year for doing less. I do not wish to commit myself to the question of Board or no Board; but I am bound to admit that, with due consideration, the question may fairly be raised whether a change may not be made in the title of the Board now so well filled by my right hon. Friend (Mr. Chamberlain), because they are—

> "Lords of the Committee of Privy Council appointed by Her Majesty for the consideration of all matters relating to Trade and Foreign Plantations."

Now, in the word "Plantations" there is a smack of agriculture; but it is "Foreign Plantations." The title, I admit, is very incongruous, and there may be a fair and reasonable question whether there may not be a change in the title. I am not prepared to announce what the title should be; but I think there should be a change of title, with the view of making it what I have now described—namely, that there should be a responsible Department, of which it should be the duty to take up all functions connected with this subject as far as possible. At the same time, it is not always easy to say to what particular Departments certain subjects should belong; and, in order to see how far that is possible, let us take some of the questions that have been raised. There are many subjects and classes of subjects that have relation to more than one Department. For instance, it has been suggested that factory labour ought to go to the Board of Trade. I remember having a discussion on that subject with the late Sir James Graham, the very first Administrator of his day—a man having one of the most active, rapid, and comprehensive judgments on any administrative question it has ever been my good fortune to know; and it was after full consideration and advice that factory labour was attached to the Home Office. I am not prepared to say that ought to be reversed. Then, with regard to Copyholds, the superintendence of the Home Office over Copyholds is a superintendence involving minute interference—whether it ought to be treated as a matter of Commerce and Agriculture I may decline to give an opinion. With regard to Highways little difficulty will arise. I do not know whether the hon.

Member himself has considered the question. If he has, I admit much weight is due to his opinion; but its connection with Local Taxation and Government I cannot put out of consideration; and on the question of transferring it there may be a good deal of doubt. Then the hon. Member said, with a good deal of force, that all agricultural statistics and all returns as to the sale of corn, which are records of actual transactions and the point on which certain local operations turn, are proper questions for the Board of Trade. But they are already under the Board of Trade, and no doubt they support the hon. Gentleman in the principle of his Motion that the functions may be united. Several other subjects were mentioned by the hon. Member—I do not wish to make any invidious comments where all are united. We have put the President of the Board of Trade in the Cabinet; and not only so, but we have made some practical progress towards the object of the hon. Gentleman—namely, bringing comprehensively into his hands the management of all the great subjects in which the commercial class are interested. There are three of these to which we can point during the short time we have been in Office. There is the Patent Law, the Law of Partnership, and the Law of Bankruptcy—a good earnest, I submit, of the disposition in which we are desirous of approaching this question. There remains only one important question mentioned by the hon. Member on which I ought to say one word, and that is the contagious diseases of animals. That was a very fair case for him to raise, for I think some consideration should be given to the anomalous method in which those diseases are at present dealt with. He objected very much to the answer he might receive from the Treasury Bench; but it is one thing to give a promise of careful consideration as a method of getting rid of a Motion, and the consideration required as to the best method of applying it; and I am bound to say that something may be said for the way in which this subject is now administered, when you have at the head of the Council Office almost always a Nobleman or country gentleman, not only of capacity, but of influence, conversant with subjects of agriculture. I might mention such men as Earl Spencer, the Duke of Richmond, Lord Ripon, and the Duke of Marlborough. There must be great advantage in an arrangement of that kind; but, notwithstanding, I could not give into the opinion that the present arrangement should be maintained. It is hardly right to expect that a Gentleman widely acquainted with agricultural life should be Vice President of the Council, and have charge of educational matters. Therefore, I think there is very much to be said, and, indeed, a general leaning in the minds of those Members of the Government who have considered the subject is, that the administration of the Contagious Diseases of Animals Act should be attached to the Department which is specially charged with the affairs of Agriculture and Commerce. I think I have now gone through the main points connected with the case. There is nothing against which the Government and the House ought to be so much on their guard as the re-organization of a Department; and nothing, I am sure, could be more unwise, as connected with our responsibilities with the public funds, than to set out with purposely instituting an extensive series of offices, each with salaries attached; but we undertake to fulfil the pledge that means shall not be wanting for assuming, and adequately discharging, such functions as have been described when they come into view. The Board of Trade has been re-organized over and over again; but what does it mean? It means the superannuation of a great number of public officers, and the institution of a great number of new public officers, who are probably again, after the lapse of a decorous number of years, to be again superannuated. We ought to adapt our machinery to the work to be done, and not set up a new machine, before we know that it will have work to do or not. That is the spirit in which we are prepared to accept this Motion; and if we do not act upon it to the satisfaction of the hon. Member, he will, no doubt, be prepared to call us by-and-bye to account, and if we cannot tell a reasonable story, we shall, no doubt, receive an adequate measure of animadversion.

Mr. R. H. PAGET said, he had heard with the greatest satisfaction the statement of the right hon. Gentleman. There were some points, however, on which he wished to receive further information. The first related to agricultural statistics; and in reference to it the Statistical Department of the Board of Trade was one to which great attention should be paid. To be of any real, practical value, the information should be fresh, for stale statistics, like stale fish, were of no use whatever. The American Commissioner of Agriculture produced annually the most valuable Reports—nay, produced Reports month by month. He (Mr. R. H. Paget) had been the means of procuring, through the courtesy of the hon. Baronet the Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke), those annual and monthly Reports for the Library of the House. In America they were not satisfied with leaving industry entirely unaided, nor ashamed to go out of their way to procure information about crops, cultivation, machinery, manures, and other things connected with agriculture, and place that information at the service of agriculturists. The Commissioner of Agriculture stated that, by obtaining all the necessary information, he hoped to enable even new industries to be successfully prosecuted, and he pointed to the action of England in the cultivation of tea in Assam, which, he said, in spite of repeated difficulties and disappointments, had proved a success, and that the success was largely due to the expenditure of State funds. The American Agricultural Department had large funds at their disposal, and employed them in procuring useful statistics, which they put forth for the public benefit. He wanted to ask, would there be placed at the disposal of the new Department a sum of money to do what was so ably done in the United States? If he desired to obtain agricultural statistics now, he had to go up and down, through half-a-dozen Departments. He was sorry the hon. Baronet the Under Secretary of State for Foreign Affairs was not in his place, that he might thank him for having so courteously placed at his disposal most useful information from the United States. The great point was that everything connected with agriculture should be focussed and brought together into one Department. At present agricultural information was scattered in Reports from India and in the Statistical Abstracts of the Foreign Office, and of the Board of Trade. But they wanted something more than to have this information all in one place; it ought to be digested and printed at the expense of the State, so as to be easily available for those outside. In America, the state of agriculture was carefully watched by the authorities, who were at the utmost pains to circulate information among the farmers. For instance, certain failures in the grass lands having been reported, the Department issued for the benefit of the farmers an illustrated series of specimens of different grasses, explaining their relative value and determining the best kind to grow and the best way of growing it. That was what he hoped might be done in England by an Agricultural Department. It ought, however, to be something more than a Department; to use the Prime Minister's words, "to meet any demands which may arise in regard to agriculture," it ought to have the power of obtaining information, and of spending money in circulating it. He urged that when the Department was created the two interests of Agriculture and Commerce should be kept separate, presided over, perhaps, by a single Minister, but with an Under Secretary of State responsible for each separate branch. He thought the demand was not unreasonable, considering the great importance of Agriculture, and the fact that, with a dwindling trade, its importance was gradually increasing.

Mr. SLAGG said, in rising to say a few words, he must express his satisfaction at the prospect that the commercial community were to obtain more attention in future; for it had often struck him as being surprising that, considering the vast importance of our commercial relations, so little attention had been paid by the Legislature to the question now raised. It had been the opinion of a large portion of the community for many years that a separate Department should be instituted for commercial affairs, and that the Minister should have a seat in the Cabinet. He must say, however, that he felt the difficulty of establishing a new Department. With reference to that question, our commercial information was now collected from a large number of Government Departments which had little connection with each other and very little sympathy, and in many instances were at variance with each other. It was therefore impossible that these numerous Departments could work together harmoniously as they were constituted at present. Looking at the number of Offices with which the commercial interests were at present placed, he found that the India Office controlled the trading relations of that country, the Colonial Office undertook to supervise the commercial affairs of the Colonies, the Board of Trade undertook an endless variety of commercial functions, and the Privy Council was charged with many peculiar duties connected with the trade of the country, besides that of Education, while the Foreign Office undertook matters connected with the negotiation of Treaties. Some time ago the formation of a Commercial Department at the Foreign Office led them to hope that better attention would be given to these affairs. But he was very sorry to say that though it was directed by gentlemen of high ability, it was still very far short of that efficiency which they had a right to expect. His (Mr. Slagg's) idea was that before they established a separate Bureau, they should try to develop the existing Offices by making them so strong in the discharge of their duties that in course of time, when they could walk alone, the information they supplied might be concentrated. But before that was done there must be a very great increase in their efficiency. The misfortune was that in Government Offices commerce was looked upon as a somewhat ignoble career for gentlemen who wished for promotion; and the reason of that was that, to some extent, commercial affairs were not regarded as comparable in importance with such matters as the Eastern Question, and no encouragement was given for the pursuit of matters connected with commerce. Any plan that would produce such an encouragement would, he considered, be of much value to the country. He hoped in filling up the important office it would not be conferred upon a mere official of the Government. He hoped he would at least be thoroughly conversant with commercial affairs. He was sure it would not benefit the agricultural or commercial community to have a Minister appointed simply on Party grounds. The Prime Minister had told them that he thought one Minister would be competent to attend both to Agriculture and Commerce; but what a new Minister could do for Agriculture except in the matter of statistics he was somewhat at a loss to see. It was true that such statistics were of great interest and value; but it had been suggested that the duty of a Minister of Agriculture was to do something for the protection of agricultural produce. If that was to be his duty, he (Mr. Slagg) was quite unable to assent to it. If a new Minister for Agriculture and Commerce were appointed, he trusted he would be a man conversant with business, and not a mere official. He was heartily pleased that so much attention had been given to the subject to-night. It was certain that the interests of Trade and Commerce had suffered seriously from official neglect; and, after what had fallen from the Treasury Bench, he looked forward to the introduction by the Government of some practical scheme for placing those interests as regarded our relations with foreign countries on a more satisfactory footing in relation to their administration than they occupied at the present time.

SIR JOHN KENNAWAY said, that, in connection with the subject, he deeply regretted the absence from the House of Mr. Sampson Lloyd, who in times past had so ably advocated the establishment of a Ministry of Agriculture and Commerce; but they had reason, he thought, to congratulate themselves on the great progress which their ideas had made of recent years. The agricultural and commercial depression from which the country had suffered had disabused people of the notion that they could do everything for themselves, in the same way as our recent military reverses had taught us that an Englishman was no longer a match for three foreigners. It was felt that this country was engaged in a competition so severe with other countries that they could not afford to lose a single point of advantage. So far as regarded the agriculturists, they had a right to ask the Government that they should have the best and fullest information upon the agriculture of foreign countries laid before them, such as that referred to as furnished by the American Bureau. He considered that the way in which the debate had been carried on, and the tone in which the Prime Minister had met the Motion, were matters of great encouragement; and he contended that the appointment of a Minister of Agriculture and Commerce would be of great benefit to both Departments. At the same time, he did not anticipate that the establishment of the proposed new Department would induce people engaged in business pursuits to lean too much upon the Government, or that it would discourage the spirit of self-reliance which of necessity would always be the main-spring of our agricultural and commercial industry.

Mr. ARTHUR ARNOLD said, nothing delighted him more than the evident anxiety of hon. Gentlemen who directly represented the agricultural interest that the agricultural concerns of this country, and particularly questions dealing with the import of cattle, should be placed under the power of a Minister who was intimately connected with the trade of the country. Though those functions could not, perhaps, be in better hands than they were at present, still there would be obvious advantage in matters connected with the food supply of the country being in the hands of a Minister who was better acquainted than it was possible probably for any Lord President of the Council to be acquainted with the demands of the great commercial population in regard to the food supply. Greatly as he sympathized with the object of the Resolution, and agreeing with much of the speech of the hon. Baronet opposite (Sir Massey Lopes), he failed, to some extent, to concur with him, because of the precise terms in which the Resolution was expressed. He sympathized very much with the remarks of the Prime Minister, who, in the fulness of an unrivalled experience, showed them some of the difficulties connected with this very important subject. The hon. Baronet opposite spoke of the different arrangements that obtained in the Governments of Continental Europe. The difference of those arrangements was due to the fact that their Foreign Offices were still less concerned than our own with the commercial interests of the country, and that was, in his opinion, a disadvantage. His hon. Friend the Member for Manchester (Mr. Slagg), who spoke with an experience which few Members of the House could claim, had expressed satisfaction with the Commercial Department of the Foreign Office. He hoped most heartily that the Department would be rendered both more practical and more important. Mr. Cobden once remarked that an Ambassador should be a commercial traveller of his country. It would be a disastrous day for this country when those who were concerned in the foreign relations of the country should cease to have intimate and important connection with the commercial concerns of the community. The difficulty of the subject enlarged as one looked upon it more closely, and when the Prime Minister alluded to the fanciful title of the Board of Trade and Plantations, he pointed to a reform which must occur to the minds of practical men. The Board of Trade had the title of dealing with foreign plantations which had become long since independent of the Government of this country. In order to give our Government a more practical character, he hoped the Board of Trade would take a new appellation. But the Board of Trade had begun a new career under the presidency of his right hon. Friend the Member for Birmingham (Mr. Chamberlain), and had under its administration the Patent Laws to which the Premier had alluded, and Bankruptcy, which were heretofore in the hands of the Attorney General of the day. It was a new departure; but he (Mr. Arnold) regarded it as a very wholesome improvement. He had a strong expectation that there would be an increasing desire for some help from the Government with reference to the present depressed condition of agriculture. So long as hon. Gentlemen confined their demands to matters so harmless as the title or re-arrangement of a Government Department, he, for one, should not complain; but he looked with serious apprehension upon the character of the speeches made from the other side of the House that night. If hon. Members opposite really and sincerely wished to improve the condition of agriculture, they must not cry out merely for a new President of a new Department; but they must set their hands to work to reform the Land Laws of this country, which were at present the bane of agriculture and injurious to the country.

Sir BALDWYN LEIGHTON said, there was one observation made by the right hon. Gentleman the Prime Minister to which he desired to refer shortly. The right hon. Gentleman said that the Government would see that there was some Department charged with looking after all the special interests of agriculture and commerce, and that, as it was, they had not been overlooked or neglected hitherto. Their contention was that they had been neglected, and that was why they wanted a Minister and a Department. They were thankful for the introduction of a Bankruptcy Bill that Session, which the trading classes greatly required; but how about the Patent Laws? Why were not the prohibitive fees done away with that drove the English inventors to America and elsewhere? It might rather astonish the House to be told that many of their so-called American patents, though coming from America, were the invention of Englishmen who were driven abroad to get their patents, owing to the suicidal and prohibitive fees levied in this country. Why, in the interests of Commerce and Agriculture, had those things been neglected so long? Then there was another most important subject to which they had hitherto been unable to get attention given; that was, the railway rates, which were not only in favour of the foreigner as against the English producer, but were actually in contravention of the Statute defining maximum rates. Why were not these things seen to by the Board of Trade? He passed over such questions as prohibitive Tariffs that were crippling their manufactures, Agricultural Education, Corn Returns, and the large subject of Local Taxation, which was over-weighting them in the race with the foreign producer; but the subject of railway freights was essentially within the jurisdiction of the Board of Trade, and should not have been neglected. And one word more. If they were to have some re-arrangement of the Public Departments to get these things seen to he trusted there was to be no delay. They could not afford to wait, and they had already waited too long.

MR. J. W. BARCLAY said, that, while entirely prepared to accept the Resolution, he was not one of those who were sanguine that a Minister of Agriculture could do much for the country in present circumstances. Statistics were, no doubt, valuable, and of interest both to Agriculture and Commerce; but it ought not to be supposed that foreign countries were in a much better condition than ourselves in that respect. So far as the statistics of this country were concerned they were equal to those of any other country. He recently applied for statistics respecting the agriculture of the United States; but he was informed at the United States Legation that for the last two years Congress had not voted funds for the printing of them. He thought that, considering the duties in connection with trade and agriculture now performed by the Government, and some others that might be added, it would be of general service that some special Department were organized in connection with some of the existing Departments. It would have to deal with statistics, and it would also be important that it should supply information with regard to Trade and Commerce from abroad. That information might be collected from our Consuls abroad, digested by the Government officials, and the results published in an available form for all those who were interested. One matter on which information was specially needed was the state of cattle diseases in foreign countries. One of the greatest difficulties of the Government in dealing with disease was that there was no reliable information of the state of cattle disease abroad; and he urged two years ago that the Government should take measures to obtain trustworthy information regarding disease amongst cattle in the United States. Another important matter, which would be of great service, was that the new Minister of Agriculture should endeavour to diffuse scientific education in agricultural subjects throughout the country. No doubt there was a great amount of apathy amongst farmers about scientific education on agricultuaal subjects. Unfortunately, farmers were not sufficiently aware of the great advantages which would accrue to them from a certain amount of knowledge in some of the sciences bearing closely on Agriculture, and a small sum of money might be well spent in drawing the attention of farmers to the subject. Another point which was of immense importance was that the Government should institute and endow, to a moderate extent, scientific investigation in agricultural questions. It had done a great deal for trades and manufactures; but as yet the Government had done nothing in the way of aid of Agriculture, beyond what was done by the Science and Art Department. In the case of Agriculture there were special reasons why the Government should make some attempt at encouraging scientific research and discovery. Great good might follow such a course, as in our manufactures invention and discovery might be stimulated, and the knowledge of agricultural chemistry, in particular, might be more widely diffused. In trade and manufactures, if any private individual made a discovery or any invention he could obtain a patent for it, and if of great utility he was amply rewarded. But this was not applicable to invention or discoveries in Agriculture. What for a farmer was a large sum of money and considerable knowledge were required to make agricultural experiments, and a farmer might make discoveries of importance; but, from the nature of such discoveries and the character of the subject, it was impossible for him to get a patent, and he derived no special advantage except what arose in the course of his own business, which was not sufficient to remunerate him for his trouble and expense. He thought, therefore, that a new Department, such as was indicated in the Resolution, was absolutely necessary. But to be of service a Minister of Agriculture must be acquainted with the subjects with which he had to deal; and there would be great difficulty in finding such a Minister; and unless he were possessed of practical knowledge of the subjects with which he had to deal, he (Mr. J. W. Barclay) could not see that much advantage would arise from this special Department which it was proposed to create. Another matter that he would like to refer to was the supervision of railway rates by the Board of Trade. They had been told that the United States had a Department of Commerce and Agriculture; but 19 separate States had also Departments which were specially constituted to deal with railway rates and charges, and they did their work to the great advantage of the public. A Department of Commerce should have similar powers to deal with Railway Companies in this country. The public had an idea that the Department looked after their interests in the case of private Railway Bills. But—and in saying what he was about to say he hoped the House would except his right hon. Friend the present head of the Department—the Board, practically, did nothing of the kind, and they had in a scandalous manner betrayed the interests of the public in regard to those Bills. The Board was required to report on all Railway Bills coming before the House; but from time to time it had allowed unopposed Bills to pass which gave the Railway Companies power to charge largely increased rates. In some instances that he (Mr. J. W. Barclay) knew of Companies had got power to charge more than double previous rates, and that without any notice being called to the matter by the Board of Trade. That, he thought, should warn them not to trust to any Department of State more than was necessary. Instead of looking so much after the affairs of foreign nations, it would be well if the House of Commons would devote itself more to affairs at home. He hoped, now that he had called attention to it, the subject would be looked after by the Board of Trade.

Mr. MAC IVER said, if there was one thing which our American friends thoroughly understood, it was their own interests, and they were ever ready to take advantage of poor John Bull. He hoped he should not be thought unreasonable if he ventured to examine somewhat closely the gift which the Prime Minister was inclined to bestow. The Prime Minister reminded him of the old story of the siege of Troy. He would like to suggest to the agricultural interest of Great Britain a somewhat free translation of *Timeo Danaos et dona ferentes.* It might be put—"Don't trust the present Government." Take the Malt Tax. He was not a farmer, he was not an agriculturist, he was a carrier, and his experience showed him that since the abolition of the malt tax he had been offered more barley, sugar, and other things to be brought into competition with the British farmer than ever before. The Malt Tax was abolished with the professed desire to benefit the British farmer; but the Government had omitted the safeguards by which the abolition should have been accompanied; and, therefore, as a matter of fact, that which they had done had only increased foreign competition, and the only people who had been benefited by the abolition of that tax were that portion of the brewers who carried on the largest business. The Government adhered to what they called the principles of political economy. Political economy, however, was not an exact science, and they ought to deal with the affairs of the country in the same way that they dealt with their own businesses. How was it that we had got into such a mess with respect to the French Treaty? It was because, while we professed the theory of Free Trade it was rejected by the other nations of the world. There was no one in that House, he (Mr. Mac Iver) did not care on what side he sat, who had so thoroughly learnt the art of replying to a Question without giving information as the hon. Baronet the Under Secretary of State for Foreign Affairs had done. That hon. Baronet had, however, unintentionally misled the House in the replies which he had given to him. He (Mr. Mac Iver) had asked the hon. Baronet Questions about the Sugar Bounties and about the bounties on shipping; and the replies he gave amounted to this—that they were under the consideration of Her Majesty's Government, and that Her Majesty's Government would make representations in regard to them. Now, he appealed to both sides of the House whether such replies were not calculated to lead simple-minded people in the country to suppose that the Government really meant to do something. [" Question !"] That was the Question, because those were matters with which a Minister of Agriculture and Commerce might well deal with; but which the hon. Baronet had not dealt well with, having much else to do. The whole question as regards bounties on shipping was practically settled and done with. Our Government might make any representation they pleased; but the French Government had perfectly concluded their arrangements to do a thing which was most detrimental to British interests. Let them look at the condition of Ireland. How could the industries of that country be restored unless the industries in Great Britain were prosperous? When they saw the woollen trade falling off, and when they saw competing goods from France and other countries increasing in their importation, and our own exportation decreasing, if we had a Minister of Commerce his first duty would be to see what could be done for the woollen trade at home. Let them look at the distress in regard to agriculture. He agreed with one remark in a letter lately written to Mr. Lord, of Bradford, by the right hon. Gentleman the Chancellor of the Duchy of Lancaster, to the effect that the depressed state of our manufacturing industries was very much owing to the depressed state of the agriculture of this country. He agreed with the right hon. Gentleman that the connection between our agriculture and our manufactures was very close indeed. That was not a new idea to him; but it seemed to be new to the right hon. Gentleman, who had not sufficiently considered the rest of the subject, because he went on to say that the depressed condition of agriculture was only owing to a few bad seasons, and that we wanted but a little more sunshine and a little more yield from the land, and everything would go right. Now, going back 12 years, and taking periods of three years each, he found that, in round numbers, our annual importations of agricultural produce in the first three years averaged £60,000,000 sterling in value; in the second three years, £80,000,000; in the third three years, £94,000,000; and in the last £106,000,000. To him that looked very much like the displacement of our own industry; it looked very much as though the real cause of our agricultural depression was the unfair competition of foreign countries whose tariffs were hostile to our manufactures; while, moreover, the conditions of the carrying trade had been altogether changed during the last few years. Trade in the United States was prosperous, and there was enormous emigration going on, and the result was that steamers in the Atlantic trade were more prosperous than they were years ago; but this was no advantage to the farmers. The homeward rates of freight never were lower; and, at the present moment, grain was being carried from New York to Liverpool at 2*d.* a-bushel, and cattle at about £4 per head. In conclusion, he maintained that a Minister of Commerce and Agriculture ought to have been appointed long ago; but he ought not to be a mere theoretic political economist, but a man who really had the best interests of Great Britain and Ireland and also of our great Empire at heart—one who was not tied to theory, but one who would do his best for the interests of the country.

MR. CHAMBERLAIN said, he did not rise in order to follow at any length the extraordinary and somewhat miscellaneous speech of the hon. Member for Birkenhead (Mr. Mac Iver). He did not propose to discuss with that hon. Gentleman the principles of Adam Smith, or even the protective theories which the hon. Member had so much at heart. It seemed to him (Mr. Chamberlain) that the hon. Member had somewhat anticipated the Notice of Motion which he had put on the Paper, and which he intended to bring forward on the second reading of the Customs and Inland Revenue Bill. But he could not help thinking the hon. Member was rather ungenerous in his observations as to the abolition of the Malt Tax. The abolition of the Malt Tax had been for many years an object of the greatest importance with the Party to which the hon. Member for Birkenhead belonged. When that Party came into power they found themselves, owing to circumstances into which he need not enter, unable to deal with the question; and now that a Liberal Government had settled it, the hon. Member for Birkenhead declared that that which his own Party had called a boon had become a bane, because it had been granted by a Liberal Ministry. He hoped that the debate would now be brought to a close, especially as the statement of the Prime Minister had appeared to give general satisfaction. Some speakers that evening had, of course, unintentionally, tried to press further than his words would bear the statement of the Prime Minister. His right hon. Friend had not, as he (Mr. Chamberlain) understood him, said that the Government would pledge itself to the creation of a new Department. What he had said was that he would recognize, as a principle, that some Department of the Government should be prepared to meet every new demand made on behalf either of Agriculture or of Commerce. Some hon. Gentlemen seemed to anticipate too much from any mere re-organization of the work of the Government Departments. Such a re-organization could not be expected either to revive trade, or materially to promote the interests of Agriculture. Nor would it enable Governments or individuals to perform impossibilities. Complaint was made that but little progress had been made; but if there was any fault, it lay with the House of Commons itself. The practice of debating every question at inordinate length had necessarily delayed non-political Business which was not so urgent; and if the commercial class wanted commercial legislation to make more rapid progress, they must bring to bear some reform on the practice of the House which should prevent the waste of time that undoubtedly seriously impeded the progress of commercial legislation. The hon. Member for Forfarshire (Mr. J. W. Barclay) complained that the Board of Trade had not dealt satisfactorily with the question of railway rates; but his (Mr. Chamberlain's) reply was that they had done all that legislation enabled them to do with reference to this matter. They had raised important questions before the Railway Commission. On some of them they had been defeated by defects in the law; but the Government were quite prepared, when time would allow, to deal with the question, and to take the powers necessary that the matter might be satisfactorily dealt with. But the difficulty there, as in the case of other questions, was the time, and not the particular arrangement of a Government Department. The hon. Member for Forfarshire had spoken of the scandalous way in which the Board of Trade had betrayed the interests of the public, although he was good enough to say that in this he cast no reflection upon the present head of the Department; but he (Mr. Chamberlain) must protest, on behalf of the Department, on behalf of his Predecessors and the permanent officials, against the rash charge brought against them that they had been unmindful of the public interests. He was certain that in past times, as during his occupancy of the Office, they had, to the best of their abilities, protected the interests of the public. They had on every occasion pointed out to the Committees of the House of Commons any alterations of rates proposed by Railway Companies, and the responsibility of allowing those rates rested not with the officers of the Board of Trade, but with the Committees of the House. The hon. Member for Mid Somersetshire (Mr. R. H. Paget) spoke with reference to agricultural statistics, which he desired to see extended. A Report had been made of a very elaborate character; but he (Mr. Chamberlain) understood the hon. Member to require that they should be published more frequently, and contain a great deal of information which they did not now include. Now, it might be possible to improve the preparation of these statistics, and send them to the country at an earlier period than was now done; but the value of statistics often depended on a sufficient period being taken, and if they were published weekly or monthly, no practical conclusion could be drawn from them. But he must remind the House that no Government could do for individuals what they could do better for themselves. He believed the statistics published by the Government were chiefly valuable for the statesman and the political economist. They were not of primary utility to persons engaged in trade, who could better obtain what they wanted for themselves. The experience of the United States had been referred to; and while the hon. Baronet the Member for South Devon (Sir Massey Lopes) was mistaken in supposing that there was a Ministry of Agriculture in the United States, undoubtedly there was a Statistical Bureau, which published a great many statistics; but as to the advantage of them he (Mr. Chamberlain) believed that there was considerable difference of opinion even in the United States themselves. The experiment in England was not a success. At the head of the Office had been Sir John Sinclair, and its Secretary was Arthur Young. Yet it was unsatisfactory. Begun in 1793, it was finally abolished in 1821, and no one said a single word in its praise. Another question was, whether the Department of Agriculture and Commerce could advantageously be combined under one head? He looked forward with the greatest anxiety to the possibility of such an undertaking; and, in connection with it, he would tell the House what had happened to himself. He had only been in Office a very few days when he received a copy of a Return issued by the Department to farmers and others, asking a great number of questions of interest. The Return came back to him from a farmer not filled up. The writer declined absolutely to furnish any information either to the Board of Trade or to anyone connected with it, so long "as they knew as little of practical agriculture as a pig did of watchmaking." He (Mr. Chamberlain) felt the refusal was not altogether without cause; and he could not help fearing, if these two great Departments were permanently combined and placed under one head, difficulties would arise either from the President of the Board of Trade knowing practically as little of Agriculture or, on the other hand, of Commerce, as a pig did of watchmaking. But that was one of the questions which his right hon. Friend the Prime Minister promised to consider by accepting the form of Motion proposed, and he could not help thinking his mode of putting it into practice would be satisfactory to the House. With respect to the other matters concerning which complaint was made, the chief thing wanted was, again, time and opportunity, as the Government were anxious to legislate on many of the subjects which had been touched upon. After the declaration of the Prime Minister, he thought the House might trust the Government to put in practice the principles they were willing to accept.

MR. STORER said, that agriculture was again beginning to assert itself, because trade was declining, and this question was of the greatest possible interest. If they had had a Minister to look after their interest, there would not have been so much bad legislation as there had been of late years. At the same time, he was ready to admit that the manner in which the Vice President of the Council had managed agricultural matters relating to cattle disease was most creditable, and had gained for the right hon. Gentleman the general respect of the agricultural interest. He did not think it was fair to find fault with the sensible speech of the hon. Member for Birkenhead (Mr. Mac Iver) on the ground of its Protectionist tendencies, when Birmingham itself, represented by two Members of the Cabinet, had been asking for countervailing duties in opposition to the bounties. He (Mr. Storer) would inform the right hon. Gentleman the President of the Board of Trade that a large number of his constituents met a few nights since at Birmingham and passed a resolution in the spirit of the speech of the hon. Member for Birkenhead. It had been said that the agricultural interest was not sufficiently grateful for the abolition of the Malt Tax as they ought to be considering their former agitation on that question. But, though he recognized the good the right hon. Gentleman the Chancellor of the Exchequer had done, he could not but remember that the result had only substituted one monopoly for another, for the monopoly now lay with the brewer. The Education Act, too, had also done the farmer much injury, and inflicted on him what amounted to an Income Tax of 1*s.* or 2*s.* in the pound.

Mr. RATHBONE said, he could have wished that the Resolution of the hon. Baronet opposite (Sir Massey Lopes) had been more general in its terms. He (Mr. Rathbone) felt bound to take a particular interest in this subject in consequence of the constant complaints which, as formerly representing a large commercial constituency, he had received as to the failure of the Administration Departments to do their work satisfactorily. There could be no more important Departments than the Local Government Board and the Board of Trade, and the Prime Minister had very often avoided in practice many of the evils of the system by placing able men at the head of every Department; but even in these cases the evil had not altogether been avoided. He thought the root of the evil lay in the present relative dignity and emolument of the different Offices of State. The heads of the Departments he had referred to were frequently not in the Cabinet; the Offices themselves were not considered as of equal dignity, and had not the same emoluments as great Departments. Therefore, when the time for promotion came, the merits of the individual did not enter into consideration. Besides, these very important Departments were often pushed aside from the fact that their Representatives were not in the Cabinet. He thought that the President of the Board of Trade, the President of the Local Government Board, and the Chief Secretary for Ireland should all have places in the Cabinet, and that those Offices should no longer be considered as mere antechambers to the more important Offices. A like dignity should also attach to the Minister of Education. Under the late Government, the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach) had thoroughly mastered the condition of Ireland and its system of local government. But he succeeded to a position in which he had everything to learn—the Colonies—and he was succeeded by a Chief Secretary by no means his own equal. He (Mr. Rathbone) hoped the whole question would be considered in a comprehensive spirit.

Mr. ROUND said, he did not intend to continue the debate after the appeal of the right hon. Gentleman the President of the Board of Trade; but he rose for the purpose of making a suggestion. The Prime Minister had stated that one of the great difficulties in connection with the re-organization of Government Departments was the necessary superannuation of officers. He (Mr. Round) understood that, at the present time, the head of the Statistical Department of the Board of Trade had resigned, and the Office was vacant.

Mr. GLADSTONE: Will the hon. Member communicate with the President of the Board of Trade?

Mr. ROUND said, he would take an opportunity of doing so, and, in the meanwhile, would suggest that the appointment should not be filled up until the new arrangements were made which it was stated were now in contemplation. As representing an important agricultural constituency, he felt much interest in the question, and desired also to thank the Prime Minister for consenting to the Motion of the hon. Member for South Devon. His constituency was one that had suffered much from the recent depression in agriculture, and was still suffering. As its Representative, he could not but watch with the greatest interest every notice taken by this House of questions connected with the agricultural interests; and he thanked the Government for their promise in connection with the Motion for a new Ministry of Commerce and Agriculture.

Major NOLAN said, that that was one of the questions on which more than one Ministry had been in a state of chaos. On a previous occasion, in the course of his (Major Nolan's) inquiries on the subject of seed potatoes, he had been referred from one Department to another, from the Board of Trade to the Vice President of the Council, till at last it had been decided, after a consultation, that the right hon. Gentleman the Chief Secretary for Ireland had more to do with potatoes than anyone else. At another time, he had been interested in a matter that was, perhaps, as much commercial as agricultural, and which was of some importance to the people of certain districts of Ireland—namely, the manufacture of kelp; but, on that subject, his inquiries had received no satisfactory answer. And, in like manner, a difficulty often occurred in Ireland as to the very serious question of the drainage of land. There was no one to whom application could be made, and the authorities were conspicuous by their absence. That a Department of Agriculture might greatly benefit small and unenlightened farmers by circulating information among them had been abundantly proved. That was a field in which the Department might prosecute the work that the agricultural societies neglected, or were unable to perform, especially among the small farmers in Ireland. He thought that the Government might fairly be asked to give assistance of this kind, reserving to themselves the question whether the Office of Irish Agriculture should be in London or in Dublin.

SIR HARRY VERNEY said, that he had heard the nostrums of hon. Members from all parts of the House for the relief of agriculturists, who, without doubt, had been very grievous sufferers from the late three or four unfavourable seasons, and for the improvement of Agriculture; and he would mention his, which had this peculiarity—an unusual one in that House—that every hon. Member, on whatever side or part of the House he sat, would agree with him in the opinion that it was the most important of any. It was this—that they, landowners and land occupiers, should learn their business. There was no business or profession in that country with regard to which those who were the most interested were so ignorant. He confessed, and he did so with regret, that until he became a landowner he knew, and he cared, nothing about land. He hardly knew one crop from another, and he felt no desire to know; he had but one ambition, to rise in his profession and get the command of a regiment. He owned this with regret and some shame, because it was his duty to make himself acquainted with the business and calling, a good knowledge of which would enable him to benefit himself and all who lived on his estate. He did not hesitate to say that if, half a century since, he had possessed as good a knowledge of the management of land, and acquaintance with the qualities and treatment of stock, as his land agent or bailiff, he would have been, perhaps, 20 per cent richer during the whole of that time; he would never have had a bad farmer on his land; more work, and better paid work would have been provided for his labourers, and the country would have been benefited by his land producing more food for man and beast. Every class in the country would be materially benefited by landowners being better instructed in land, excepting one—namely, land agents. Their occupation would be diminished by landowners knowing their own business, instead of leaving it to them. In Germany there were few land agents; owners managed their own land. If their present difficulties induced landowners to learn more about land it would prove beneficial to the whole community.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put.

*Resolved,* That it is desirable that the functions of the Executive Government which especially relate to Agriculture and Commerce should, as far as possible, be administered by a distinct department, and be presided over by a responsible Minister of the Crown.

Committee upon *Monday* next.

## WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## TRADE COMBINATIONS (FOOD, &c.).

### OBSERVATIONS.

MR. WARTON, who had given Notice on going into Committee of Supply to call attention to Trade Combinations having for their object the undue diminution of the price for food payable to the producer, and the increase payable by the consumer, now rose for that purpose, and said, that for a long time it had been his intention to direct the attention of the House to this subject. It was a matter which seemed to him to be of considerable importance to a very large portion of the people of the country. It was hardly necessary to state that agriculture had been in a very depressed state. What he was content to observe was that at present they could not grow wheat at a profit. It was of the utmost importance that, as agriculturists could not grow wheat, and were discouraged from growing barley, they should turn their attention to some things which might be of great benefit. There were many products of the soil which might be grown to advantage, only that the way in which those products were disposed of often turned into a loss what might be sources of profit. At present we were paying foreigners many millions a-year for eggs, butter, poultry, fruit, and vegetables; and he did not hesitate to say that those millions might go into the pockets of our own farmers and market gardeners, provided what they had to sell could be sold fairly. It was a singular thing that we could get fresh fruit and vegetables from France, Germany, Holland, and Belgium at a cheaper rate than that at which our own producers could send them to market, and that arose partly from the system of railway charges, which he hoped the Committee on the subject would soon correct, and partly from the fact that the markets, and especially those of London, were carried on in a most artificial and unbusinesslike manner. He knew the case of a respectable farmer in Suffolk, finding his agricultural produce fetch him very little, directed his attention to onions. He got Sutton's seed, the best he could procure, paid the greatest attention to the crop, and sent up the produce to London salesmen. But when the account of profit and loss was made up, he was out of pocket by what he paid for the sacks. Another thought he would grow cabbages, filled two waggons with them, which he sent up to market, and got the sum of 6*d.* for his profit on the transaction.

Mr. ARTHUR ARNOLD rose to Order, and asked, whether it was competent for an hon. Member, who had given Notice of a Motion on going into Committee of Supply, to move it on going into Committee of Ways and Means?

Mr. SPEAKER said, that if the hon. Member proposed to move on the present occasion he would be out of Order.

Mr. HEALY asked, whether it was not competent to raise any question on going into Committee of Ways and Means?

Mr. SPEAKER said, he could not give an answer on a point of Order not absolutely before the House. The Notice of the hon. Member was for a Motion on going into Committee of Supply; but the Motion now was for going into Committee on Ways and Means.

Mr. WARTON said, he rose at the proper moment; but he could not prevent the calling out of the Order for Ways and Means.

Lord JOHN MANNERS asked the Government to explain why they had taken the course they had in so suddenly closing Supply?

Lord FREDERICK CAVENDISH, in reply, said, that the Amendment having been carried on going into Committee, it was not considered advisable to set up Supply again after 11 o'clock; and in so doing they had acted in accordance with the usual custom.

Mr. WARTON then resumed his remarks, when

Mr. SPEAKER said, he must again remind the hon. and learned Member that it would be quite out of Order for him to move, on going into Committee of Ways and Means, an Amendment which he had given Notice of on going into Supply.

Mr. WARTON then said, he would content himself by making some general observations on the subject of his Motion without moving it. What he complained of was that, by the arrangements made between the salesmen to whom fruits and vegetables were consigned for sale in the great London markets, the produce found its way into the hands of middlemen, who arranged the prices at which they should be sold to the greengrocers and costermongers, so that the producer did not receive as much as he ought to do for what he had to sell, and the consumers were compelled to pay much more than they ought to do for what it was necessary for them to buy. The telegraphs gave means to the salesmen in the London markets to regulate the supply that should be delivered, and, therefore, to have control over the prices that could be commanded. As matter of fact, it was well known that the London markets were supplied very largely with the refuse of the Paris markets; and, as far as our home producers were concerned, that they often received not more than ¼*d.* each for cauliflowers, for instance, which were sold to the consumers at prices ranging between 4*d.* and 9*d.* The same rule applied to poultry and meat, which were brought to this country from France and America, and sold at enormous profit as the product of English poultry-yards and grazing and feeding farms. But the evils which existed in connection with vegetables, fruit, and poultry dwindled into insignificance when compared with the case of fish. On the average, an acre of sea produced as much food as three acres of good land, except in those parts of the sea to which fish did not go. Now, sometimes there was a great catch of fish, but the public was seldom allowed to benefit by it, the greater part being in most cases thrown back into the sea or allowed to rot. This was the doing of the salesmen, who regulated the supply according to their own wishes, with the object of keeping up the price of the article. Fish could be kept in ice for 12 or 15 days; and, therefore, there could be no excuse for throwing it away. Providence having given us the blessing of great abundance in fish, surely we should avail ourselves of it. His object was to have fish properly exposed for sale for a sufficient time to enable the public to buy it. In conclusion, he would observe that the question concerned Irishmen and Englishmen equally; and he could do no more, after what he had said, than to hope that the matters to which he had drawn attention would receive the careful consideration of the Government.

## CENTRAL ASIA—AFGHANISTAN (POLITICAL AFFAIRS).

### QUESTION. OBSERVATIONS.

LORD GEORGE HAMILTON, in rising to call attention to the deficiency of official information respecting recent events in Asia, said, he had intended to ask the Government, If they can explain to the House why, when they fixed on the 24th March for the discussion of their policy in Afghanistan, they failed before that date to supply the House with the necessary documents, since published, giving the Russian official exposition of the meaning of their previous assurances, as well as the objections of the Indian Government to the orders sent them from Downing Street? He apprehended, however, that according to the Forms of the House it would not be competent for him to address to the Government that identical Question; and, therefore, he proposed to put a Question of a different character to the hon. Baronet the Under Secretary of State for Foreign Affairs. He would ask, Whether he could supplement the statement which he made on March 24 with information about the advances since made in Central Asia by the Russian Armies; whether the statement that General Skobeleff had been recalled was an accurate statement; and, whether his hon. Friend had any reason to believe that the Russians had been ordered to discontinue their warlike operations? On all questions of this character in a discussion the Government who were in Office had an enormous advantage, as they could produce what Papers they chose and hold back what they chose. If the discussion was likely to prove inconvenient, they had only to say they could not produce such and such documents. Well, on the occasion when his hon. Friend (Mr. E. Stanhope) brought forward his Motion they were entirely in the dark upon two all-important points, and those two points were what were the opinions of the Indian Government upon the orders which they had received from home; and, secondly, what were the intentions of the Russian Government with regard to military operations in Central Asia. They had a pretty strong opinion at the time that the opinions of the Indian Government and of the Council of the Governor General were antagonistic to the orders they received from Downing Street, and they were very anxious to obtain from the noble Marquess the Secretary of State for India an accurate record of what were the opinions of the Indian Government, and they pressed the noble Marquess on that subject; but they could not induce him to afford them information. The Papers from India containing the objections to the orders from Downing Street somehow miscarried, and did not arrive in time for the debate. A debate took place, and a division was arrived at. The Government obtained a majority of 120; and that majority, he thought, gave the Prime Minister the greatest satisfaction, for he on more than one occasion alluded to it. They obtained that majority, and the British troops were ordered to withdraw from Southern Afghanistan. The British troops were still in Southern Afghanistan, and why? Because the Indian Government, although they did not dare to refuse to obey the orders that were sent to them from England, yet felt it so necessary in the interests of the Indian Empire that those orders should not be carried out beyond certain points, that they insisted on occupying Pishin. And Pishin was just as much in Southern Afghanistan as Candahar. The result was that at the present moment our troops in Southern Afghanistan were in a most unfortunate position. There were certain advantages connected with a permanent occupation of Candahar. There were certain advantages also connected with a withdrawal from Candahar. But they had abandoned the advantages of both by occupying Pishin. The advantage of remaining at Candahar was that the presence of British troops would prevent any local insurrection or disturbance. On the other hand, there was the danger that if a local disturbance did take place we might be involved in it. But, by withdrawing to Pishin, they had very much increased the likelihood of a disturbance at Candahar; and if that disturbance took place our troops would be bound to come forward and help our friends to suppress it—unless the Liberal Government came to the resolution that it was better to throw our friends over than run the risk attendant on such an operation. Well, such was the unfortunate position in which we found ourselves. And why were we in that unfortunate position? Simply because the House on the 25th March arrived at the conclusion, in absolute ignorance of the opinions both of the Indian Government and of the Council of the Governor General of India, as well as of the intention of the Russian Government. He thought he might here say that it had been the invariable practice of every Government to produce Papers which were relevant to any question which was to be discussed, especially if it was a Party question, in time for that discussion. It was perfectly clear that no discussion could be thorough if those who discussed it were not in possession of accurate information. The Secretary of State and the Viceroy had a power of enormous magnitude; but when Parliament vested Secretaries of State and Viceroys with that power it laid down certain precautions. It was felt at the time when the Government of India was transferred from the East India Company to the Crown that Indian questions might be more frequently introduced and become matters of Party conflict, and therefore that the House might always be in possession of the opinions of those who were not influenced by Home politics, it was enacted that any despatch, whether written by a Secretary of State at home or by a Viceroy of India, which was laid before their Councils, any opinions the members of those Councils might express should, with the despatch, be laid before Parliament; and by that means, therefore, Parliament would be in possession of the views of Indian officials on any question that might be under discussion. What had happened? On the 25th of March the House had arrived at a most important decision with regard to our Frontier policy in the North-West of India, and late on the night of the 24th despatches were laid on the Table of the House, so that his hon. Friend who had brought forward the Motion relating to Candahar had not had time to read them before he spoke on the subject. A few days after the opinions of certain Members of the Council of India were laid on the Table, and about three days subsequently a number of most important despatches relating to the intentions of Russia with regard to Central Asia were published by the Foreign Office. Now, he found the arguments which had been employed by the Members of the Council of India were entirely in accordance with the views expressed upon that (the Opposition) side of the House, while the despatches from St. Petersburg more than confirmed the darkest insinuations which had been thrown out in regard to the designs of Russia. It was impossible, therefore, to avoid coming to the conclusion that if the House had been in complete possession of the authentic and official information to which he referred, they would hardly have come to the decision at which they had arrived. [*A laugh.*] Hon. Gentlemen might laugh; but he might mention that when the question as to who was to blame for the delay of the despatches came to be investigated in India, the Deputy Postmaster of Bombay, upon whom the responsibility was sought to be placed, was so affected by the decision that he committed suicide. The noble Lord the Secretary of State for India was asked, in reference to the occupation of Candahar, whether a certain despatch from Sir Donald Stewart represented the views upon the subject entertained by that gallant General at that moment. There had been some doubt upon the point, and therefore the question was asked. There was now, however, in the Blue Book a despatch from Sir Donald Stewart which entirely confirmed almost every argument which had been put forward by his hon. Friend the Member for Mid Lincoln (Mr. E.

Stanhope) against the abandonment of Candahar. Yet in the debate the name of Sir Donald Stewart had been paraded by Her Majesty's Government as being in favour of the policy of abandonment. He now came to another and the most startling of all the documents which had since been published. The House was aware that the Russian Government had given the most positive assurances that they had no intention of attacking or going near Merv—one of the most important stations in Central Asia. But when the late Government were defeated at the General Election in the month of April last year, the Russian Government were sharp enough to see that it was possible the right hon. Gentleman the Member for Mid Lothian and his Colleagues might come into Office. What, under those circumstances, did they do? In April they prepared a despatch, which they sent to the Russian Ambassador in this country. The despatch stated, in effect, that they thought the importance of Merv had been very much exaggerated; that they could not pledge themselves to the exact limits within which their military operations would be confined; that they had no desire to push as far as Merv, but that, if they found themselves compelled to do so, they certainly would not contemplate a permanent occupation of the place, and would withdraw from it as soon as possible. He might add that the Russian Government gave to their Ambassador in this country absolute discretion as to the time when he should communicate the contents of the despatch to Her Majesty's Government here. At a later period Earl Granville protested against the despatch; and Lord Dufferin, when informed at St. Petersburg that Russia might occupy Merv, said that, as the late Emperor had given assurances on the subject in the most unequivocal language, he had led his own Government to regard the matter as having been placed beyond doubt, and that he hardly knew in what terms to convey to Lord Granville information to a contrary effect. All the Russian despatches were couched exactly in the same terms, and they showed that no assurances given by the Russian Government were worth the paper they were written upon. The date of the latest of the despatches being the 8th of March, and the day specially fixed by the right hon. Gentleman the Prime Minister for the discussion of the Motion of the hon. Member for Mid Lincoln being the 24th of March, he wished to know why the despatches had not been laid on the Table of the House before the debate was brought on? He did not for a moment pretend that either the noble Lord the Secretary of State for India or the Under Secretary had deliberately kept back these documents. [*A laugh.*] Under the circumstances, he thought the noble Lord ought to be very grateful for that statement, because the House had before them the remarkable fact that when the documents were not forthcoming, and he heard that the Motion was coming on, he suggested to the noble Lord that he should have them sent by telegraph. But—"No," said the noble Lord; "I cannot telegraph these documents. They are of too great importance; and to telegraph an abstract of such communications would materially diminish their importance." He could not help thinking that if these documents of great importance had confirmed the views of the noble Lord, he would have been glad to communicate the effect of them by telegraph, and to lay them in that way upon the Table of the House. And, although he did not mean to say that the noble Lord did not telegraph them because they were in conflict with his own views, there was a certain amount of *vis inertiæ* which the noble Lord allowed to overcome his energy and activity to supply the House with information with which it ought to have been supplied, and which, somehow or other, induced him to take less trouble in the matter than he might have been expected to take. As he had said before, the House were in a position of some little difficulty. They could not discuss the question again, because they were precluded from doing so by the Forms of the House; but, under the circumstances, he thought they had a right to ask for some explanation from Her Majesty's Government. If the Government could, as it seemed to him they must, admit the facts to be as he had stated them, then he did hope that the House would receive some assurance from them that if ever again they made a question a Party question—["Oh!"]—if, above all, they ever made an Indian question a Party question—

[" Oh!" *and laughter.*] Hon. Members opposite laughed; but he believed that it had not hitherto been the practice to make Indian questions Party questions. [Sir WILLIAM HARCOURT: Who made it so?] "Who made it so?" said the Home Secretary. Why, the Prime Minister. It was not a Party question in "another place." [" Oh!"] If it was a Party question, it was a very curious thing that so large a number of Liberal Peers should have voted against their Party. Having been for some years Under Secretary of State for India he knew, and was bound to state, that during the whole of the time he occupied the Office he must gratefully recollect the consideration which the right hon. Gentleman the present Under Secretary (Mr. Grant Duff) always gave to him. But, unfortunately, since the question of the policy to be pursued towards Afghanistan came under discussion many Indian questions, as the House well knew, had been made more or less Party questions. He sincerely hoped that, in the interests of India, they would soon get to the end of Party questions; and all he asked from Her Majesty's Government was an assurance that if they should consider it necessary in future to bring any one particular Indian question before the House, Her Majesty's Government would consider it right to publish all the information they had in their possession in reference to such question, and to take such steps as were necessary to have that information before the House before the question was discussed, and when it might be useful, and not afterwards, when it was more or less useless.

THE MARQUESS OF HARTINGTON: We all, I think, on both sides of the House, appear to have been labouring under a most unfortunate misapprehension in regard to this question of Candahar and Afghanistan. The noble Lord has informed us for the first time to-night that it was the Government who made this question a Party question, and that it was not in the mind of the Opposition to make it a Party question at all. We were under the impression, and it was never contradicted by any Member of the Opposition until this moment, that the Motion of the hon. Member for Mid Lincoln (Mr. E. Stanhope) was a Vote of Censure on Her Majesty's Government. I think the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) put a question to the Prime Minister as to the opportunities which would be given for the discussion of the Motion; and the measures which were taken stamped it and marked it as a deliberate Party Motion — a Party Vote of Censure. Taking it in that light, my right hon. Friend gave the earliest and fullest facilities for its discussion. If we had known what we know now from the noble Lord, that it was not a Party Motion at all, but only an academical discussion of a question that was to be discussed like all other Indian questions, without reference to Party considerations, whatever they might have thought, it might not have been necessary for the Government, at an extremely inconvenient period of the Session, to have devoted the time they did to the discussion of the measure; and it is a pity that the intimation was not made until after the discussion which took up so much of the time of the House. In the course of the discussion on that Motion, which we now learn was not a Party one, the charge which the noble Lord made to-night was insinuated once or twice, and I rose to take the earliest opportunity I could to put the question directly to hon. and right hon. Gentlemen opposite, and to ask them whether they did deliberately believe that I, in the interests of the Government or in the interest of any particular view of the question, had deliberately suppressed, or taken measures for the suppression, of these Minutes of the Members of the Council of India, which were unfavourable to our views? I had no sooner asked the question than it was repudiated, as I thought universally, by right hon. and hon. Gentlemen opposite, and I understood that it was an expression of opinion from Members on the opposite side that no such idea was entertained by them. But now, after several weeks' interval, the noble Lord comes forward and deliberately resuscitates this charge, which I cannot consider as any other than a charge of having deliberately suppressed the despatches. ["No, no!"] Then I certainly cannot understand what it is that the noble Lord does mean. The noble Lord says the Government made a Party question of this, and fixed the 24th of March for its discussion, and he says that the Government named that day and at the same time did not take measures for placing the House in possession of all the information to which it was entitled. Let me just state to the House what are the facts and the dates in regard to this matter. At an early period of the Session several Questions were put to me as to what the answer of the Indian Government was with reference to my despatch on the subject of Candahar. I said that the reply had not been received; but, having communicated with the Government of India by telegraph, I was able subsequently to state that the reply was on its way. That reply was dated the 2nd of February, 1881, and ought to have been received about the end of the month of February. The concluding paragraph of that despatch was as follows:—

> "The Minutes which are being recorded on the subject-matter of this despatch by some of our own honourable Colleagues will be forwarded by the subsequent mail."

I assumed, as I think I had a right to do, that the subsequent mail referred to would be the next mail. I could not imagine that when the Government of India agreed to send the despatch that they were likely to delay it beyond the subsequent mail. But in that I was mistaken. In spite of having been informed that the Minutes would come by the mail which followed the reply, sent by the mail on the 2nd of February, none of them were sent until the mail of February 21st; and the Minutes sent by the mail of February 21st were those which miscarried. On the 28th of February, two subsequent Minutes were dispatched, one of them being that of Mr. Rivers Thompson and the other that of Major Baring. Both of these arrived, I think, on the 21st of March, and it was only then that I ascertained that the despatches sent on the 21st of February had miscarried altogether. They had been sent by the previous mail of the 21st of February, but had missed altogether, and would not be forthcoming. I then found that it was of no use waiting for them any longer, and I gave directions at once that all the Papers in our possession should be printed and placed in the hands of Members. I regret exceedingly that they were not in the hands of the hon. Member for Mid Lincoln until a few minutes before he rose to make his speech; but the despatches, which were extremely short, were in hands of hon. Members that evening, and all who cared to read them had an opportunity of doing so before they came to the division next night. These despatches, although not complete until the subsequent mail, did contain the most able and the strongest Minute against the policy of Her Majesty's Government—I mean that of Mr. Rivers Thompson. The noble Lord says that no explanation has been given of the manner in which the despatches miscarried. The noble Lord never asked what became of them, or it could have been afforded to him. The explanation is a very simple one. They did not go to St. Petersburg. By some mistake they were placed in the Bombay Post Office, and they were sent home, not by the mail, but as a parcel, and in that form they were received, I think, at Portsmouth. [Lord GEORGE HAMILTON: Hear, hear!] The noble Lord seems to think the matter extremely amusing; and, indeed, referred lightly to the suicide of the Deputy Postmaster of Bombay, who was held responsible for the mistake. I do not know whether the noble Lord meant to be serious. If not, it was an extremely bad joke. It is the fact, however, that Mr. Row, the Deputy Postmaster at Bombay, was held responsible for the mistake, and it is a fact that Mr. Row, subsequently to the discovery of the blunder, has committed suicide. What happened was perfectly clear, and there is no mystery about it. The noble Lord evidently believes that the Deputy Postmaster was instructed to send these despatches to Portsmouth by parcel instead of by letter, and that he has been made the victim of the machinations of Her Majesty's Government. The noble Lord says that if the opinion of Sir Donald Stewart had been in the hands of Members before the division was taken, it would have had great influence upon the House, and would have altered the result. Now, not one word was said about Sir Donald Stewart's opinion that was not borne out, and more than borne out, by Sir Donald Stewart's subsequent Minute. What did Sir Donald Stewart say in the Minute that did not reach us? He said that he did not consider Candahar as a strategical position, nor was an advocate of its annexation for any purpose, not even if it could be demonstrated, beyond the shadow of a doubt, that our Frontier could be strengthened by such a measure. I stated that Sir Donald Stewart was not an advocate of the retention of Candahar. I fully admit that he states in his opinion that the evils which may result from a change of policy on the part of one Government when it succeeds another are so great that he is of opinion that it is doubtful whether we ought to evacuate Candahar. Sir Donald Stewart's political opinion was that which I have just read, and it was quite as strong as anything that could be attributed to him in the course of debate. The noble Lord, not satisfied with referring to Papers which are not before us, has gone back to Papers which were before the House for weeks before the Motion of the hon. Member for Mid Lincoln came on. He is now complaining that I published Lord Lytton's Minute, and he says that it has nothing whatever to do with the question. It may not have anything to do with the question in his sense—because he does not find it convenient from his view of the question—but it has a great deal to do with the question, as it was discussed, of the value of Candahar in a strategical and political point of view; and when I was placing before the House the opinion of great authorities on this question, I do not see why I should not include the opinion of so great an authority as Lord Lytton in the year 1878. The noble Lord invites me to discuss our present position in Afghanistan, and he says it combines all possible disadvantages with the fewest possible advantages. He says that this has arisen in consequence of the peremptory orders issued by Her Majesty's Government. Well, I can only say that the present position of matters is the one contemplated by Her Majesty's Government at home, and is the one supposed by the Government of India to be the most suitable. We issued instructions of a very precise character as to the abandonment of Candahar. We left it to the Government of India to decide as to the time of our withdrawal from Pishin. With the full assent of Her Majesty's Government, the Government of India have availed themselves, acting upon the best advice and information in their possession, of the discretion given to them, and in the exercise of that discretion have decided to prolong for some time the occupation of Pishin without, in the least degree, deciding what the permanent policy in regard to that place is to be. Pending further instructions from the Government, they are of opinion that our withdrawal from the position we occupy in Southern Afghanistan ought not to be precipitate, that it ought not to be sudden, that it ought not necessarily to be immediately completed. For that purpose, and with that object, bearing that consideration in view, great discretionary power was given to the Government of India. The Government of India has availed itself of that discretion, and I have no reason to believe that the Government of India has been placed in any position of embarrassment whatever by the position we now hold in Southern Afghanistan. The noble Lord has invited me to give assurances that in the case of future debates full information will be given to the House. I cannot undertake to give any assurance that any other course will be taken than has been taken in this matter. We had every reason to suppose that by the day fixed by my right hon. Friend for the discussion of the question the fullest information, and all the information it was possible to obtain, would be in the hands of the House. Some of that information was withheld by an unaccountable accident for which the Government cannot be held responsible, and I think it is rather to be regretted that the noble Lord and his Friends should by this carping attack endeavour to weaken the decision at which the House has already arrived by so large a majority.

Mr. E. STANHOPE said, he thought the noble Lord who had just spoken had very much misunderstood the observations of his noble Friend the Member for Middlesex (Lord George Hamilton), and the spirit in which they were made. When he spoke of this question not having been brought forward until a month after the Afghan debate, the reason for this was very clear. His noble Friend had had no opportunity of bringing it on before. He had placed his Notice on the Paper, and called attention to the subject on the earliest occasion that presented itself. The noble Lord appeared hurt at the observations of his noble Friend with respect to this being or not a Party question. But the meaning of his noble Friend appeared to him perfectly obvious. The Motion, when brought forward, was rejected by a large majority of the House. That decision he perfectly accepted; but he was not without considerable hope that the arguments urged in the course of the debate which took place would even now have a very considerable influence on the policy of the Government. When the Motion was proposed, the Prime Minister at once accepted it as a Motion of Want of Confidence. No doubt, it was a very convenient course for the right hon. Gentleman to take, and he did not complain of his decision. After what had taken place in the House of Lords, it was, he thought, perfectly fair that the Motion should have been accepted in that sense. But anyone who looked at the terms of the Motion would see that it would have been very easy to have treated it in no such sense. However, at that moment it was really not worth while entering into an elaborate discussion as to whether it was proposed in a Party sense or not. All he would say was, that the sooner Indian subjects ceased to be discussed from a Party point of view the better, and he was sure the House would find that, as soon as those sitting near him could get away from subjects connected with India which they were obliged to press upon Her Majesty's Government, they were prepared to assist Her Majesty's Government to the best of their power in dealing with all matters relating to India. The noble Lord seemed to think that his noble Friend had made a charge against him of having deliberately suppressed certain Papers. He certainly had not understood his noble Friend's observations in that sense. What he understood him to say was, that the Government fixed their own day for the debate —namely, the 24th of March—and that they were so careless in obtaining information beforehand that, when the subject came on for discussion, the House was without information that the Government might perfectly well have laid upon the Table of the House. He hoped the noble Lord would not think he was referring to Papers with which he was particularly concerned; he was not referring to the opinions of the Government of India or of the Council of India. For his own part, he must say he thought the noble Lord would have been anxious that those opinions should be before the House. They were, on the whole, very unfavourable to the views of the noble Lord, and, in a certain sense, their absence had been made use of in the course of the debate. But he did think, notwithstanding, that the course adopted by the noble Lord and by the Government, although it might have been perfectly accidental, was most unfair towards Sir Donald Stewart, because throughout the discussion Sir Donald Stewart was being constantly misrepresented. It was urged in various quarters of the House that the opinion of Sir Donald Stewart was in favour of the policy of the Government, while it was urged in others that it was in favour of the policy supported on that side of the House. For his own part, having had an opportunity of reading all the Papers put forward by Sir Donald Stewart, he thought it only fair to say that he had been consistent throughout. He said from the first that, from a military point of view, it was not, in his opinion, of so much importance that Candahar should be occupied by British troops; but that, on political grounds, it would be the basest possible desertion of the people of Candahar that our troops should be withdrawn from it. Now, Sir Donald Stewart was not only the Commander-in-Chief of Her Majesty's Forces in that part of the country, but the officer politically in charge of it; who had lived there for many months, and was the man most qualified to express an opinion upon the question. But that brought him to another point. The noble Lord had said he placed before the House—and, no doubt, he did—the opinions expressed by the Government of India, at the earliest possible date. But he ventured to repeat the complaint made on the occasion of his addressing the House before, as to the famous despatch dated the 2nd of February. That despatch had completely changed the position of affairs with regard to the retention of Pishin and Sibi, and it intimated to this country for the first time that the Government of India objected to the policy that was intended to be imposed on it from home, and desired, for a time at least, that Pishin and Sibi should be occupied by our troops, and had urged some strong contentions in support of that view. That despatch might have been in the hands of hon. Members three weeks before the debate took place; and yet, although it was perfectly well known that they, on that side of the House would, on the 24th March, call attention to the policy of Her Majesty's Government, not only with regard to Candahar but with regard to Southern Afghanistan generally, Her Majesty's Government had thought fit to keep back that despatch of the 2nd of February, and it was not put into his hands until 10 minutes before he rose to open the discussion. He now came to another point, and was glad that the Under Secretary of State for Foreign Affairs had not yet spoken, because his next observations would be specially directed to him. When he addressed the House on the former occasion, the Under Secretary of State for Foreign Affairs immediately followed, and made two statements with reference to the whole subject which had a very considerable effect upon the House, and had, as far as he could judge, actually influenced the course of public opinion on the question. He ventured to call attention to both statements. The first of them arose in this way. He had stated in the course of his remarks that an absolute pledge had been given by Sir Donald Stewart to the people of Candahar that they should never again fall under the dominion of the Ruler of Cabul, and he had further stated that to be a specific pledge given not only to the Ameer Shere Ali, but to the people themselves. What happened then? The Under Secretary of State for Foreign Affairs got up and quoted a despatch that was not on the Table; but he frankly and fairly stated that the despatch, although not there, had become the property of the House; and he quoted from that despatch and from a diary certain declarations made by Sir Donald Stewart, that it was the object of the Government, if possible, to make the Ameer secure on his Throne, and, as soon as he had been made secure and independent of British assistance, to withdraw from Candahar. He had since seen the diary on which that statement was published, and found that the diary, so far from in any way affecting the statement which he made was a remarkable confirmation of it, because there was the further statement, which the hon. Gentleman did not think it worth while to read to the House, that General Sir Donald Stewart reiterated to the Sirdar that he might rest assured that the government of the whole of Afghanistan would certainly not be vested in future in a single individual. So absolute a confirmation of his statement ought, he thought, to have been laid before the House. Then, there was another point. Upon the occasion to which he had alluded, he urged upon the House the importance which might be attached to Russian intrigues in Afghanistan, and to the Russian advance towards that country. The hon. Gentleman thereupon got up and said, with an air that, at any rate, carried conviction to the Liberal side of the House, that General Skobeleff had been recalled from Central Asia. On a subsequent occasion he had taken the opportunity of asking the hon. Gentleman upon what that statement was founded, and he said it was founded upon information which had reached him, and which had been afterwards confirmed by a despatch from Lord Dufferin. But, upon examination of the despatch, he found that, so far from its being a confirmation, it stated that General Skobeleff had been, at his own request, relieved from his command. And that was what the hon. Gentleman described as being recalled by special order of the Emperor. The hon. Gentleman, therefore, appeared to him to have gone on the merest possible hearsay; and it turned out, two days later, when Lord Dufferin's despatch was received, that his statement was not confirmed. What his noble Friend complained of was that the despatches to which he had drawn attention were in the possession of Her Majesty's Government in sufficient time to be laid upon the Table of the House for the purposes of the debate that took place. But the noble Lord opposite had not even touched upon that subject. It was true that had the Government written to St. Petersburg for leave to publish the despatch, some time must have elapsed; but the telegraph would have brought in two days the fullest possible information with regard to the disposition of the Russian Government upon this question. He thought, in that matter, the Government had not treated them at all fairly. They had kept back, no doubt without any design of deceiving the House, information that ought to have been laid upon the Table; they had fixed the debate for a day that was convenient to themselves, and then witheld the information necessary for full and fair discussion.

SIR CHARLES W. DILKE said, he did not quite understand whether the charge against the Government was that they had fixed too early a day for the debate, or that it was owing to carelessness on the part of the Government that the latest Papers were not produced in time for the debate. In either case, he was himself present in the House when the Prime Minister was pressed to fix an early day for the debate, and was now quite ready to examine the two statements that had been made with regard to the Indian Minutes and the Foreign Office Papers. The noble Lord who began this debate had been, in his opinion, sufficiently answered by the Secretary of State for India with regard to the Indian Papers; and everybody on that side of the House, he believed, considered the defence of his noble Friend to be complete. With reference to these Papers, there was every reason to believe they would reach this country in time to be printed; but, owing to the error of the unfortunate man, the Sub-Postmaster at Bombay, who had committed suicide, they had not done so. How any charge could be made against the Government, under the circumstances, he really could not understand. The important despatch to which the noble Lord opposite had referred was that of Lord Dufferin, dated the 8th of March. That despatch was received at the Foreign Office on the 14th of March; and the hon. Member who had just spoken had inquired why leave to publish it had not been asked by telegraph? That had been done. It was the practice, whenever a Foreign Office Blue Book was to be laid before the House, and whenever Foreign Governments had to be consulted with regard to publication, to telegraph the numbers of the despatches, and the consent to publish was generally returned in the same way. But there were often in St. Petersburg great difficulties in seeing gentlemen able to give the consent of the Govenment; and, in the present instance, consent to publish was not received until the day of the debate. The hon. Member opposite made a further inquiry as to why the despatch of the 2nd of February, relating to Pishin, had not been published? The House would see that the last paragraph of the despatch alluded to the Minutes which were on their way home, and it was the wish of Her Majesty's Government to publish both the despatch and the Minutes together. When, however, the Secretary of State for India found that the Minutes had not arrived, the despatch was published without them. The hon. Member who had just spoken had also made one or two remarks personal to himself. He said that in the course of the Candahar debate, in which he followed him, he (Sir Charles W. Dilke) had quoted from a portion of the Candahar diary, and that, after reading the context, he thought it did not bear out the explanation given. The hon. Member argued that the present Government had reversed the policy of their Predecessors with regard to Candahar; but he (Sir Charles W. Dilke) had contended that with regard to Candahar the late Government had no policy. The late Government, he would point out, had never themselves decided what they were going to do with Candahar. He had referred to the matter before; but the noble Lord had never been able to tell him the policy of his Party with regard to that city. Upon this matter he had quoted from the Cabul diary; and when he reminded the noble Lord that he had been unable to designate the line the late Government proposed to take on the question, he would point out that two speakers who had taken part in the debate to which reference had been made, one on the first night, and another on the second, who had been connected with the late Government, took different views to that which the noble Lord himself had taken. He could only refer hon. Members to the diary, which, he maintained, exactly bore out the statement he had made that the late Government had no definite policy with regard to the retention or abandonment of Candahar; and that, as a matter of fact, they were drifting with the stream when they went out of Office. Then a question was put to him as to the recall of General Skobeleff, and it was stated that the reply he had previously given was inaccurate, not being borne out by subsequent published documents. It was said that the General had not been recalled, but had retired of his own wish; but it must be remembered that when it was convenient for the home authorities to "recall" an official, it was usually explained that it was done at that individual's express desire. A great many cases of recall could be covered in this manner; and when the presence of a person in a certain place had ceased to be convenient, it was very easy to recall him "at his own wish." The Government had been informed by Her Majesty's Representative at St. Petersburg that General Skobeleff had been "recalled." They had continually asked for confirmations of that statement, and they had from time to time received the same reply, which had been submitted to the House in answer to Questions put by hon. Members. The noble Lord had put three questions to him, and this was one—whether the statement that General Skobeleff had been recalled was correct? His reply was that it was correct. Then the noble Lord asked whether orders had been given by the Russian Government for suspending the advance of the Russian troops in Central Asia? In reply, with regard to the orders given by the Russian Government, he could only state what Her Majesty's Government were informed. He could not say what orders had been given to the Russian forces; but they heard from Her Majesty's Representative at St. Petersburg, as he had twice informed the House, that there had been a stop put to the forward movement of the Russian troops in Central Asia. Therefore, as to what advance the Russian forces had made, he answered that they had made none; that they had, in fact, been falling back since the date of the debate. Before sitting down, he could only repeat the statement made by his noble Friend (the Marquess of Hartington) that there was not the smallest foundation for the assertion, either in connection with the Foreign Office or the Indian Office, that Papers had been kept back at the time of the debate. The Government had been asked to name an early day for the discussion, and before that date they had got together all the Papers they possibly could, and had produced them; and even if the Papers which were ultimately found to be missing had been forthcoming at that time, he did not believe that they would have had any substantial influence upon the debate.

Mr. A. J. BALFOUR said, the hon. Baronet appeared to think it sufficient excuse for the Government having commenced the debate on the abandonment of Pishin when they did, that they had been urged by the Opposition to name an early day; but he would remind the hon. Baronet that it was impossible for them on that side of the House to know what information the Government were in possession of. When Members of the Opposition pressed the Government for an early day, it was not to be supposed that they wished the Government to bring on the debate before they were able to produce, for the information of their opponents, all the despatches that were at their own disposal. The hon. Baronet who had just sat down began his speech by saying that he really did not understand the charge made against the Government; and the noble Lord who preceded him on that side of the House (the Marquess of Hartington) appeared so to misunderstand the charge as to suppose that it was one of duplicity brought against Her Majesty's present Advisers. They both seemed unable to imagine that there was any middle charge between absolute duplicity on the part of the Government, and absolving the Government altogether from blame in this matter. The case of the Opposition was not that at all. No man on that side of the House believed that the Government intended deliberately to withhold these Papers from the House; but, at the same time, they could not absolve the Ministry from the charge of having so acted that important information which should have been given to the House did not reach them. Let them compare the manner in which the Government had used information, but had not produced it, when it was in their interest to so act, and when it was against them. The hon. Baronet who had just sat down was in possession of certain information with regard to the Cabul diary, to which allusion had been made. He made use of this information, and also referred to a despatch, subsequently laid upon the Table, with regard to General Skobeleff. He had used the despatches which supported his own view; but he had given them no opinion as to the despatch which told against them—information with regard to which he had in his possession. That was the natural thing to do; but let them observe how capable it was of abuse, for if Government allowed themselves to use despatches only that told in favour of themselves, it was certain that they would ignore all those despatches which in any way told against them—and that was exactly what the Government did. He was not touching on the Indian despatches that were kept back by an accident, but the despatch which the Government actually had in the Foreign Office—namely, the Cabul diary which had since been published. The Under Secretary of State for Foreign Affairs, undoubtedly, did make quotations from that diary, which hon. Members sitting opposite to them were unable to answer because they had not the despatch before them; but he had forborne to quote from information which he also had, and which would have told powerfully in favour of his opponents. That alone, he thought, was sufficient justification to his noble Friend for having called attention to this matter. The noble Lord was unable to go into this question in the course of the debate they had had, as he had not been in possession of the materials to enable him to do so; but he had put down his Notice as soon as he could, and had brought on this question on the earliest possible day. The noble Marquess the Secretary of State for India got into a state of virtuous indignation at the supposed accusation from the Front Opposition Bench; but it must be remembered how fond the present Ministry and their Followers when in Opposition were of accusing the late Government of feloniously keeping back information. Well, if the present Opposition ever had an opportunity to make use of a similar accusation there never was one more plausible than the present, because there were two entirely separate sets of despatches, both telling in favour of the Opposition and against the Government, in charge of different Departments, and entirely subjected to different influences, neither of which came into the hands of the Opposition in time for the debate. He made no charge of duplicity; but he did say that if such an event had occurred during the tenure of Office of the late Government, he had not the slightest doubt that hon. Gentlemen opposite would not have been restrained by any similar delicacy. He supposed they would have no opportunity—in fact, they could not possibly have any opportunity—of discussing this question this Session with the full information they had received; but he confessed he could not agree with his noble Friend who brought this subject forward, when he said that hon. Members opposite would have had their opinions influenced by these documents if they had been forthcoming. It was clear hon. Members on the Ministerial side of the House had formed their decision entirely apart from the documents. Their opinion, in fact, was formed at the time of the General Election. They were influenced by no documents that were then in their hands, and he did not believe they would have been influenced by any documents which had lately been laid on the Table. The only consolation Members of the Opposition had was this—that, apparently, the Government were now being compelled by circumstances not only to go against the policy which they themselves intended to pursue, but to go in favour of that against which they had been able to bring down a majority of 120 votes in this House.

MR. ONSLOW said, that as he had taken as much interest in this matter as any other hon. Gentleman in the House, he should like to be allowed to say a few words. The hon. Baronet the Under Secretary of State for Foreign Affairs said hon. Members on that (the Opposition) side of the House had pressed the Government to fix an early day for the discussion on the Candahar question. Well, that might be so; but did hon. Gentlemen on the other side of the House believe that the despatches the Government had at their disposal, or could have had at their disposal, could not have been laid on the Table when that discussion came on? He thought it was the duty of the Under Secretary to have warned the Prime Minister, when the right hon. Gentleman was fixing the day, that certain Papers of great importance could not be produced in time for the debate. The right hon. Gentleman, before the debate came on, should have been enabled to give reasons why it should be adjourned to a future date; but that was not done, and the House received no information of the absence of those Papers either from the Representatives of the Foreign Office or the India Office. He could not conceal from himself that the perusal of those Papers, which were not in their possession at the time of the debate, but which had since been produced, would have influenced many hon. Members on the other side of the House. The noble Lord (the Marquess of Hartington) said the Opposition had made this a Party question; but he was sure the noble Lord would not accuse him of having, at any time, made India a Party question in this House. He thought the whole policy of the retirement from Candahar was part of the policy that the noble Lord sketched out when he was addressing his constituents in North-East Lancashire at the General Election. The noble Lord had been determined to withdraw from Candahar, no matter what happened, and no matter what were the opinions of those now capable of forming a judgment, and had denounced, in no weak language, the policy of the late Government. Well, we had gone from Candahar, and it was only flogging a dead horse to discuss the matter any longer. He would venture humbly to advise the Government with regard to these despatches from India—for it was the first time in his experience that he had known despatches of this kind to be sent by parcel and not by the regular post—that in future they should be sent as all other despatches were transmitted. He did not know whether the noble Marquess had communicated to the Viceroy his displeasure at the course taken by the Assistant Postmaster; but it certainly seemed most extraordinary that these despatches should have come by parcel *via* Southampton instead of the ordinary method *via* Brindisi. It was the first time important despatches had come in this way from India, and he hoped it would be the last. It was a most important circumstance, on a question of such vital importance as this before the country, that despatches of great consequence should have been withheld. The Under Secretary of State for Foreign Affairs said that he had stated, in the course of his speech, with frankness, that General Skobeleff had been recalled. Yes; but why did he say that? He told them, at the same time, or he indicated, that there had been a change of policy on the part of the new Emperor; and he endeavoured to impress on the House that the change of policy was such, that Russia had no intention of advancing on Merv, and that so strong was the intention of the present Emperor not to follow in the footsteps of his Father, that he intended, on the first opportunity, to recall General Skobeleff. Well, he (Mr. Onslow) contended that the despatches before them did not bear out the impression conveyed to them by the hon. Baronet on that occasion. He (Mr. Onslow) believed that Russia did intend to advance upon Merv, and that at no very distant date. It was said that nothing was to be gained by remaining in Pishin; but he very strongly disagreed with that view. If they were to leave Candahar, it was a great compromise indeed to stop at Pishin; and one of the strongest reasons for that course was, that if in the future they had to advance on Candahar, they would be in a much better position to do so than if they went away altogether beyond the old Frontier. But they were not discussing this matter; and he only wished to impress on the noble Lord, in his responsible position of Secretary of State for India, the necessity, on all future occasions when discussions on Indian matters took place, that he should put before the House all the despatches and all the information he possibly could, and that if he could not give them all the despatches, that he should tell the House why he did not do so.

Colonel MAKINS did not wish the House to misunderstand the position of hon. Members on that (the Opposition) side of the House. No one would for a moment accuse either the noble Marquess or the hon. Baronet of an attempt at a wilful suppression of despatches; but, at the same time, they could not lose sight of the fact that there were some despatches that were not forthcoming, and the Government should not have allowed the discussion to go on in the absence of those despatches. The hon. Baronet should have suggested to the Prime Minister the desirability of postponing the debate until such time as the despatches could be laid on the Table of the House. If that had been done, all this difficulty would not have arisen. He (Colonel Makins) had no intention whatever of bringing any accusation against any Member of the Government; and all he wanted to do was to point out that they had made a mistake in allowing the debate to take place before the production of these despatches.

Lord JOHN MANNERS said, he had heard, with great pleasure, the concluding sentences of the noble Marquess, because they seemed not only to justify the speech of the noble Lord (Lord George Hamilton), but the original

Motion on the Candahar question. They now heard, with the utmost satisfaction, that the Government had arrived at no decision whatever as to the withdrawal of troops from Southern Afghanistan.

Sir WILLIAM HARCOURT said, the noble Lord who had just sat down was easily satisfied, if he was satisfied with a statement from the noble Marquess, which was precisely similar to one which he had made before the decision was taken in the very debate to which reference had been made. If anything proved the absolute want of necessity for the bringing on of the present debate, it was the statement of the noble Lord (Lord John Manners) that he was entirely satisfied that the object of the speech of the noble Lord the Member for Middlesex (Lord George Hamilton) had been obtained by eliciting from the Indian Secretary the statement he made in his speech on the Candahar debate. The few observations of the noble Lord who had just sat down proved most conclusively that the time of the House had not been usefully occupied with the present discussion. The noble Lord had been beating the air to obtain from the noble Marquess a statement which he explicitly made a month ago.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Ways and Means—*considered* in Committee.

(In the Committee.)

(Stamp Duty on Transfers of County Stock.)

(1.) *Resolved,* That where the justices of any county, liberty, riding, parts, or division of a county, shall be empowered by any Act of Parliament to create "County Stock," the transfers of such stock shall be chargeable with Stamp Duty as if they were transfers of the debenture stock of a company or corporation.

(Stamp Duty on Stock Certificates to Bearer.)

(2.) *Resolved,* That every "Stock Certificate to Bearer" which shall be issued under the provisions of "The Local Authorities Loans Act, 1875," or of any other Act authorising the creation of debenture stock, county stock, corporation stock, municipal stock, or funded debt, by whatever name known, shall be charged with the Stamp Duty of Seven Shillings and Sixpence, for every full sum of One Hundred Pounds, and also for any fraction less than One Hundred Pounds, or over and above One Hundred Pounds, or a multiple of One Hundred Pounds, of the nominal amount of the stock described in the certificate.

(Duty on Licences for Sale in Railway Carriages.)

*Moved* to resolve, That there shall be charged and paid upon every Licence for the Sale of Intoxicating Liquors and Tobacco in any carriage used for the conveyance of passengers on any Railway, the Excise Duty of . £5 0 0.—(*Lord Frederick Cavendish.*)

Major NOLAN inquired, as a matter of form, how hon. Members could obtain information as to Ways and Means?

Lord FREDERICK CAVENDISH said, Resolutions of this kind were never given Notice of, he believed; but they would be renewed on Monday, and could then be considered. The present proposal was not an important one; it was simply to provide facilities for refreshment on Pullman cars.

Mr. GORST asked whether this tax was to be levied for Revenue, and whether Revenue was expected from it?

Lord FREDERICK CAVENDISH replied, that he believed there was one dining car now in use, and the object of the proposal was simply to enable persons dining in that car to obtain a glass of wine.

Resolution *agreed to.*

Resolutions to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

## THAMES RIVER (No. 2) BILL.—[Bill 148.]

(*Mr. Chamberlain, Mr. Evelyn Ashley.*)

Mr. W. H. SMITH hoped a longer date than Monday would be fixed for this Bill, and observed that there was no chance of the Bill being taken on Monday.

Lord RICHARD GROSVENOR said, the Bill would not be taken on Monday.

Second Reading *deferred* till *Monday* next.

## BILLS OF SALE ACT (1878) AMENDMENT (*re-committed*) BILL.—[Bill 104.]

(*Mr. Monk, Mr. Serjeant Simon, Mr. Fry, Mr. Barran.*)

Mr. MONK moved that the Bill be referred to a Select Committee, and that the Order for Committee should be discharged.

Mr. WARTON wished to know the object of the hon. Member's Motion?

Mr. MONK replied, that the object of sending the Bill to a Select Committee was that the Amendments on the Paper should be carefully considered in Committee upstairs, and evidence taken if necessary.

Motion *agreed to.*

Order for Committee read, and *discharged.*

Bill referred to a Select Committee.

## NEWSPAPERS (LAW OF LIBEL) BILL.

(*Mr. Hutchinson, Mr. Gregory, Mr. Edward Leatham, Mr. Samuel Morley.*)

[BILL 5.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Colonel MAKINS asked whether this Bill did not come under the operation of the half-past 12 Rule, as there were Amendments?

Mr. SPEAKER: The Rule does not apply to Amendments when they are only Amendments in Committee.

Clause 1 (Interpretation).

Mr. INDERWICK said, it appeared to him and to some of his Friends desirable to have some definition as to what were public meetings for the purposes of the Bill; and he, therefore, proposed that for the purposes of the Act the words "public meeting" should mean "any meeting to which reporters of the Press were admitted." As this was a Bill to give certain privileges to newspaper editors and proprietors, he hoped the Committee would be of opinion that the definition he proposed was sufficient to give them an intimation of what a public meeting was, and how far their liability extended.

Amendment proposed,

In page 2, line 3, after the word "advertisements," to insert the words "public meeting shall mean any meeting to which reporters for the press are admitted with the assent of the said meeting."—(*Mr. Inderwick.*)

Question proposed, "That those words be there inserted."

Colonel MAKINS saw considerable objection to proceeding with this Bill, even though it was unopposed, at that late hour; but he should like to ask the hon. Member why he left out the definition "not less than twenty Members?" Any hole-and-corner meeting might, by obtaining the presence of reporters, constitute itself a public meeting within the terms of the clause. He objected strongly to leaving out the definition "not less than twenty Members."

Mr. HUTCHINSON said, his hon. Friend had omitted the words at his desire, for otherwise meetings of Churchwardens, Vestries, Local Boards, and other local authorities would be excluded from the Act.

Colonel MAKINS thought meetings of Guardians, Vestries, and such public bodies might very well be alluded to specially in the clause; but he objected strongly to leaving out the limit as to 20 persons, having regard to meetings other than those specially mentioned.

Mr. LEAMY wished to know why the hon. Member omitted the words "with the consent of the meeting," seeing that reporters could not report unless they were admitted.

Mr. INDERWICK explained that the ordinary course for reporters who were sent to private meetings was to ask if they were to be admitted; and if they were admitted, it was understood that they were admitted by consent of the meeting. But the words "with the consent of the meeting" might render it necessary to put the question to every meeting. That was why he put the Amendment in that form. He thought the Bill very reasonable, and he put this Amendment on the Paper in order that it might be discussed.

Colonel MAKINS thought the Amendment proposed was so different in character from that already on the Paper, that it would not be right to consider it at that time. It raised many questions which would require discussion. He should move that the Chairman should report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Makins.*)

Question put, and *negatived.*

Mr. HUTCHINSON, gathering that the general feeling of the House was to adjourn the discussion, expressed his willingness to bow to that feeling.

Mr. HEALY said, it was so seldom that there was a chance of making progress, that it was advisable to discuss this important Bill.

Mr. COURTNEY hoped the hon. and learned Member for Rye (Mr. Inderwick) would not press his Amendment. The Bill had been carefully considered by a Committee upstairs for several years, and he had the honour to consider it as a Member of the Committee. The first year the Chairman was the Attorney General of the late Government, and last year the Attorney General of the present Government was Chairman. The Committee considered the question of putting in words precisely defining public meetings, but they gave up the attempt as being really impracticable. They, however, inserted words which they thought were a sufficient guarantee. It would add materially to the difficulties of applying the Bill if it was attempted to provide precisely as to how reporters were to be present at meetings, and he hoped the hon. and learned Member would not press the Amendment.

Mr. INDERWICK said, he should like to take the opinion of the Committee on the matter. His object was to extend the operation of the Bill, and he did not anticipate the difficulties pointed out by the hon. Gentleman. He should, therefore, take the opinion of the Committee as to whether it was desirable to introduce this definition.

Mr. WARTON thought the proposal most absurd. Two persons might meet together, and because they had a reporter present they became a public meeting.

Mr. DAWSON considered the words proposed to be introduced most proper words, for the presence of reporters at a meeting made it a public meeting in the most effectual manner. He heartily approved of the Amendment.

Colonel MAKINS said, he should certainly vote against the Amendment; but, in the event of its being carried, he should move that a public meeting should consist of not less than 20 persons.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 13; Noes 40: Majority 27.—(Div. List, No. 202.)

Clause *agreed to.*

Clause 2 (Newspaper reports of certain meetings privileged) *agreed to.*

Clause 3 (No prosecution for newspaper libel without fiat of Attorney General).

Mr. COURTNEY proposed, in line 33, to leave out the words "Her Majesty's Attorney General," in order to insert "Director of Public Prosecutions." This question was raised in Committee upstairs, and he was bound to say it was there decided against his opinion and in favour of making criminal prosecutions for libel depend upon the allowance of Her Majesty's Attorney General. It appeared to him at the time, and it had appeared to him more strongly since, that no allowance for a criminal prosecution should be left to the discretion of a political officer. It appeared to him that in many cases the task of the Attorney General would be one of great difficulty and delicacy. Many libels arose out of a political controversy; and it might happen that the Attorney General was of opinion that no allowance should be made for a criminal prosecution, yet he might grant it, for fear that if he did not he would be accused of political partizanship. To relieve the Attorney General from the possibility of such a position he proposed this Amendment.

Amendment proposed,

In page 2, line 33, to leave out the words "Her Majesty's Attorney General," in order to insert the words "the Director of Public Prosecutions."—(*Mr. Courtney.*)

Question proposed, "That the words 'Her Majesty's Attorney General' stand part of the Bill."

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson), suggested that, inasmuch as the Attorney General directed criminal prosecutions in Ireland, and as there was no such Officer in Ireland as "Public Prosecutor," the Amendment should read—"Public Prosecutor in England and Attorney General in Ireland."

Mr. HUTCHINSON said, the House was unanimous the other day in thinking the Attorney General by far the best authority to whom this question could be referred, because he could be called to order in the House of Commons if there was any misuse of his power. This would not be so in the case of the Public Prosecutor. They need have no fear of the duty being honourably discharged by the Attorney

General for the time being; his social position and political status were sufficient to ensure an impartial administering of the Act. He disapproved of making any further differences between England and Ireland.

Mr. WARTON hoped the distinguished legal authority who had just spoken (the Solicitor General for Ireland) would excuse him if he did not agree with him. He should infinitely prefer the Attorney General to the Public Prosecutor. One thing was most amusing. The hon. Member for Liskeard (Mr. Courtney), in moving the Amendment, did not know the name of the official he proposed to substitute for the Attorney General. He did not know whether it was the Prosecutor General, or Director of Prosecutions, or Prosecutor; and had to appeal to the right hon. Gentlemen sitting near him. The fact of the matter was that the office of Prosecutor was on its trial. There was a staff of six clerks to be appointed; only one clerk had yet been appointed, and the whole Office was treated with discredit by everybody. The Prosecutor was a man of no weight; and there was no argument which could be used in favour of the present proposition. The hon. Member for Liskeard had said the duty would be a delicate one for the Attorney General to have to perform. No one ever supposed the Attorney General would act unfairly, no matter to which political Party he belonged. He knew the Attorney General was a most overworked man, and wanted to have no fresh duty thrust upon him. He was, however, the proper person to discharge a duty of this kind; and it was rather hard at this time of the morning to have an Amendment of this nature started upon them.

Mr. HEALY thought they ought to establish a precedent in this Bill, and make the Public Prosecutor or Attorney General give this allowance without fee or charge. He therefore asked the hon. Member for Liskeard to consent to add to his Amendment the following words:—"The same will be given free of all charge or fee."

Mr. LEAMY said, the Public Prosecutor in Ireland was the Attorney General. He understood the Attorney General assented to other prosecutions. If that were so, he did not see why his assent should not be taken in the case of criminal prosecutions for newspaper libel.

Mr. INDERWICK said, this was a matter which chiefly concerned editors and proprietors of newspapers; and he understood they preferred to be in the hands of the Attorney General rather than in those of any other official. In his opinion, it would be a great advantage to substitute the Public Prosecutor for the Attorney General. The Public Prosecutor was a permanent official; he was not a political Officer or a Member of the House of Commons, but was liable to give an account of his actions to the Lord Chancellor or the Lord Chief Justice for the time being. Under these circumstances, it would be held by the public that he was a more impartial official than the Attorney General, especially in libels of a political nature, and he must support the Amendment.

Question, "That the words 'Her Majesty's Attorney General' stand part of the Question," put, and *negatived.*

Further Question put, and *agreed to,* "That the words 'the Director of Public Prosecutions' be substituted."

Mr. COURTNEY proposed to add, after the word "prosecutions," the words "in England, or the Attorney General in Ireland."

Mr. HEALY thought this a most objectionable proposal. They wanted a Public Prosecutor in Ireland. He did not wish to obstruct the Bill; but it was a most disgraceful thing for them in Ireland, where political strife was at times so heated, to have to apply to the Attorney General to be allowed to conduct the prosecutions. They had a recent case in Ireland—the case of Mr. Parnell and others against *The Dublin Evening Mail.* If Mr. Parnell and others had had to go to the Public Prosecutor or the Attorney General in that matter, the fiat would never have been granted. The Attorney General for Ireland would see the force of his remarks.

Mr. JUSTIN M'CARTHY said, his hon. Friend (Mr. Healy) mistook the scope of the Bill. It was not a Bill to protect writers, but to protect newspaper editors from the consequences of publishing libellous reports. As they had no other official in Ireland than the Attorney General to whom a matter of this kind could be referred, he should support the Amendment.

MR. WARTON asked why the word "fiat" was retained in the clause? How could there be a "fiat" to the Director of Prosecutions if such an official existed?

Amendment *agreed to.*

MR. INDERWICK moved, at the end of the clause, to add the words—

"And every such prosecution shall be heard and tried on the same principles, and in the same manner, and subject to the same rules and regulations as civil actions now tried in the High Court of Justice."

He thought that, as a matter of principle and as a matter of right, the defendant in an action of libel might require the charge to be proceeded with as a civil action, and that it should not be in the power of the prosecutor to put him to the disadvantage of being put on his trial for a criminal action, where his mouth would be closed. He therefore moved this Amendment as an act of fairness and justice to the newspaper proprietors, and as an amendment of the law which had become absolutely necessary.

Amendment proposed,

At end of Clause to add "and every such prosecution shall be heard and tried on the same principles, and in the same manner, and subject to the same rules and regulations as civil actions now tried in the High Court of Justice."—(*Mr. Inderwick.*)

Question proposed, "That those words be there added."

THE ATTORNEY GENERAL (Sir HENRY JAMES) was sorry that he could not accept the Amendment. It might be right or it might be wrong to allow a person placed on his trial for a criminal action to give evidence and to have the same advantages as the defendant in a civil action. He would not enter into that question, which was a very broad one, now; but it was not proposed by the Bill that the trial in these cases should necessarily be by means of a civil action, and the question whether it was right or wrong to retain the present condition of things, and to refuse to a man who was criminally charged the power of giving evidence in his own behalf, should not be settled by making an exception to the ordinary rule in trials for libel. Under the Criminal Law, all persons put upon their trial for a criminal action were placed in a certain position, and it would be undesirable to establish an exception only in the case of a particular class of persons who happened to be newspaper proprietors. He trusted that his hon. and learned Friend would not ask the Committee to assent to the important alteration proposed by the Amendment.

MR. DAWSON thought that some distinction ought to be drawn between an ordinary libel and a newspaper libel. Very often a newspaper libel only repeated words which some other person had used, whereas an ordinary libeller placed himself knowingly in the position which rendered him liable to be prosecuted. The newspaper proprietor who published a libel was in a totally different and in an altogether exceptional position. No moral criminality attached itself to him; but he was constantly harassed and distressed by being made the object of a criminal prosecution. He thought the House ought to avail itself of any legitimate opportunity for relieving the Press from the invidious position in which it was now placed.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the hon. Member for Carlow (Mr. Dawson) seemed to forget that the Committee were now engaged in giving exceptional privileges to the newspaper proprietors, and already in Section 2 they had provided that if it could be shown that the newspaper proprietor had only published a report that was accurate, it should be a complete answer to the charge. It was unreasonable to ask them to go further, and to say that a case which the Attorney General or Public Prosecutor considered to be a fit case for a prosecution should be dealt with in an exceptional manner.

MR. HUTCHINSON said, he should have been glad to accept the Amendment; but, after the remarks which had been made by the Law Officers of the Crown, he hoped that his hon. and learned Friend would withdraw it.

MR. INDERWICK had no desire to put the Committee to any unnecessary trouble in the matter. He had understood that the Amendment he proposed had the assent of the hon. Member for Halifax (Mr. Hutchinson) and others who took an interest in the question; and personally he should be glad to see such a provision extended to actions other than actions for libel. He had thought it right that the Committee should have their attention drawn to the subject, and that the law should provide that wherever there was an alternative remedy and the person aggrieved chose to proceed by way of criminal action, the defendant should have the right of giving evidence in his own behalf. He had no wish, however, to put the Committee to the trouble of dividing, if the feeling of the Committee was substantially against his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 4 (Register of newspaper proprietors to be established) *agreed to.*

Clause 5 (Annual returns to be made) *agreed to.*

Clause 6 (Penalty for omission to make annual returns).

THE ATTORNEY GENERAL (Sir HENRY JAMES) moved to report Progress. The Committee would recollect that in the course of the discussion which took place on the second reading of the Bill, the hon. Member for East Sussex (Mr. Gregory) called attention to the deficiencies of this clause in regard to the penalties imposed under it. It was necessary that the clause should undergo some alteration. He had no wish to stop the progress of the Bill at the present moment; but it was necessary to report Progress, because it would not be regular to propose any alteration of the penalty on the Report, and he was not in a position then to say in what respects it was desirable to alter the clause.

THE CHAIRMAN: It would be quite competent to re-commit the Bill.

THE ATTORNEY GENERAL (Sir HENRY JAMES) believed that an understanding had been come to that something should be done to alter this clause; and he certainly thought it would be better to report Progress. He did not think there would be any difficulty in getting the Bill through Committee when it was brought on again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Attorney General.*)

MR. WARTON thought there ought to be a penalty of so much a day for neglect of registration.

*Mr. Inderwick*

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Tuesday* next.

NEW WRIT ISSUED.

*For* Preston, *v.* Edward Hermon, esquire, deceased.

### SETTLED LAND BILL [*Lords*]—[BILL 95.]

(*Sir R. Assheton Cross.*)

SECOND READING.

Order for Second Reading read.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Two o'clock till Monday next.

## HOUSE OF LORDS,

*Monday*, 16*th May*, 1881.

MINUTES.]—PUBLIC BILLS—*Second Reading*— Inclosure Provisional Orders (Scotton and Ferry Common) * (64); Regulation Provisional Order (Langbar Moor) * (63); Regulation Provisional Order (Beamsley Moor) * (62); Metropolitan Commons Supplemental * (65); Inclosure Provisional Order (Wibsey Slack and Low Moor Commons) * (71).

### FRANCE AND TUNIS—THE TREATY.

QUESTION.

EARL DE LA WARR asked the Secretary of State for Foreign Affairs, Whether any information could be given with regard to the nature of the Treaty or Convention which was reported to have been signed by the Bey of Tunis? From accounts which had been received, it appeared that the French General with a large escort, and supported by a strong force in the immediate vicinity of the City of Tunis, demanded an audience of the Bey, who was at length, under great pressure, induced to sign a Treaty virtually placing the Regency of Tunis under a French Protectorate.

EARL GRANVILLE: The Treaty which has been signed appears in some of the newspapers; but it will be only officially communicated to us at the time when it is communicated to the French Chambers. After it has been so communicated it will be included in the Papers which will be laid on the Table of your Lordships' House.

## RUSSIA—PERSECUTION OF THE JEWS.

THE EARL OF ROSEBERY: I beg to ask the noble Earl the Secretary of State for Foreign Affairs a Question of which I have given him private Notice. I wish to know, Whether he has received any information from Her Majesty's Consul at Odessa or elsewhere with regard to the alleged persecutions, and even massacres, that have been perpetrated on the Jewish population in Southern Russia?

EARL GRANVILLE: I have received no information from Odessa; but I received this morning a despatch from the Chargé d'Affaires at St. Petersburg to the following effect:—

> "Serious riots, accompanied with acts of great violence against the Jews, have lately occurred at Elizabethgrad and Kieff; and *The Official Gazette* of to-day states that General Drenteln telegraphs from the latter place that order has now been re-established, but that disturbances against the Jews have broken out at the stations of Tartovo, Imerinki, and in the town of Vassilkoff, and that troops have been despatched to the above places. Riots of a similar nature, not possessing, however, a dangerous character, have, it is stated, occurred in the districts of Konatop and Ananieff.—I have the honour to be, with the highest respect, your Lordship's most obedient servant,
>
> (Signed) "HUGH WYNDHAM."

## PUBLIC HEALTH — IMPORTATION OF AMERICAN HAMS AND BUTTERINE.

### QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY rose to ask Her Majesty's Government, Whether they will prohibit the importation of American hams of which a large proportion are infested with trichinæ and bacilli, also of such oleo-margarine or butterine as contains the grease of pigs suffering from the new disease of swine at Chicago, and the fat of horses infected with disease, or such as is adulterated with soapstone? The noble Lord said this question had attracted the attention of the Government some time ago. They had made inquiries of their Inspectors on the subject, and on the 8th of March Mr. Dodson said he believed no case of trichinosis had occurred in this country, and that there was no cause for alarm on that score. He had directed a Circular to be issued to the several sanitary authorities as to precautions in cooking hams and pork. Yet the Local Government Board's ninth Annual Report for 1879-80 contained a medical Report on an epidemic on board the *Cornwall* school-ship, which was proved to be caused by trichinosis, by Mr. Power having exhumed a boy who had died of it, named Richard Pierce, and discovered that his body was full of trichinæ, and one still living, wandering trichina. A case of trichinosis which occurred at Kansas was thus described by the British Consul—

> "In this case the victim was a farmer. He had been ill for some time, and became much reduced in flesh. Upon consulting a physician trichinæ were found; worms were in his flesh by the million, being scraped and squeezed from the pores of his skin. They are felt creeping through his flesh, and are literally eating up his substance. The disease is thought to have been contracted by eating sausages."

The Consul reports that two persons recently died of this disease at Milwaukee and one at Chicago, and at that city several people were ill with it. From the answers given on behalf of the Government in "another place" it would appear that they were not sufficiently alive to the dangers incurred from American hams, which were frequently infested by trichinæ and bacilli. Trichinosis was frequently fatal; and the Local Board appeared, as late as the 8th of March last, to be still under the impression that these parasites could be rendered harmless by boiling the meat which contained them. A medical man, however, published the result of his experiments in *The Irish Times*, and stated that when boiling hams he had not obtained a higher temperature than 45 degrees inside the meat near the bone, which was much too low to kill the trichinæ. Professor Vacher, of Paris, said that the idea that ordinary cooking destroyed trichinæ was quite illusory, and that opinion was based on his experiments. He was told that this low temperature was owing to the salt in the hams. The Local Government Board also appeared to rely upon microscopic examination of hams and pork by the sanitary authorities; but it was not every person that was capable of using the microscope effectively, and the number of hams imported from America was too great for any reliance to be placed upon microscopic examination as a complete protection against the introduction of trichinosis. That was the reason why the French Government decided on prohibiting the importation of American hams by a decree dated February 18, and in doing so it followed the example of Germany, Italy, Austria, Spain, Portugal, and Greece, which had already taken that step. He was informed at the Office of Commerce and Agriculture at Paris that 30 per cent of the hams examined microscopically were infested with trichinæ. Even though the attention of the French medical men was directed to an exceptionally bad consignment, yet a much smaller proportion might cause a great mortality. Trichinæ appeared to have been first heard of about the year 1835; but last year another parasite made its appearance in American hams. Seven of these were eaten by many people at a sale at Welbeck; cases of illness of as many as 72 persons were recorded, besides others that were attacked; four deaths subsequently became the subject of official investigation, and he had heard of two other deaths on the same occasion from the same cause not included in the official Report. The Report by Dr. Ballard, founded on microscopic examinations by Dr. Klein, who was a great authority in such matters, established that these parasites or organisms, to which they had given the name of bacilli, were capable of reproduction, either artificially or by being swallowed or innoculated; and their reproduction and the diseases caused by them in several organs of the body was very rapid. That was proved by experiments on various kinds of animals. All the hams that caused sickness and death to 72 known persons at Welbeck were cooked. The Government could not, therefore, continue to rely upon boiling as a safeguard, and the Circular to the medical officers which was to have been issued in March last with recommendations as to cooking, would be of no avail to prevent disease, and could only serve to obtain for the Local Government Board undeserved credit for good intentions and vigilance. Nothing short of prohibition could keep out the infected hams or secure greater care on the part of those engaged in this trade in America to exclude diseased swine. At Chicago 1,700,000 pigs were killed annually at a large establishment, and as the greatest activity in that trade was from November to May about 12,000 pigs were killed in a day at that modern Gennesareth. M. Molinari, the French agriculturist, had visited and described the establishment and the rapidity with which the pigs were killed. And in dealing with such large numbers it was impossible to expect sufficient care to have been taken to exclude the unhealthy. There was, however, another danger in American meats and butters, perhaps worse than those of trichinosis. All these products were mixed with some chemical solution of an antiseptic nature, such as salicylic acid, chloride of lime, bisulphate of lime, potash, borax, creosote, pyroligneous acid, carbolic acid, sulphuric acid. All these solutions were injurious to and undermined the constitution; and if an excessive quantity were present in a portion of the meat, these drugs might have a fatal effect. With regard to the butterine or oleo-margarine, there were two questions, that of fraud with regard to wholesome oleo-margarine which was sold as butter, and that of the inferior and unwholesome qualities of butterine. It appeared from the Correspondence lately presented to Parliament that a very large quantity of oleo-margarine was imported and sold in this country as butter, and at a price far in excess of its value or the cost of producing it, the difference of the price of cost and sale having been stated to be as much as *5d.* and *1s.* a pound. An attempt had been made by the American trade to obtain real Cork firkins in order to pass off these compounds as Cork butter. But besides the butterine made under Mège's patent in a few well-known factories, there was a great number of compounds made in imitation of oleo-margarine, of pig's fat and the fat of diseased horses. Some persons in the United States had been very angry with some of the foreign Consuls for having attributed to mortality among the swine at Chicago to trichinosis, when it was really only a kind of cholera, or a disease to which they had given that name; but whatever the disease, the prevalence of it should be a reason, if not for prohibition of the butterine called suine, at least for its being not allowed to enter this country except under its true name. Mr. Arthur Arnold, M.P. for Salford, had shown that much of the butterine sold in Manchester was unfit for food; but that, owing to the omission of the word "butter" in the Public Health Act of 1875, the health officers could not interfere with it. The majority against the Resolution of Sir Herbert Maxwell was only 16. American industry had reached a lower depth of adulteration, and soapstone powder was largely used to increase the bulk of flour and butterine. Everyone knew, from the label on Dinneford's fluid magnesia, that magnesia might cause obstructions; and he had a good medical opinion that soapstone powder was still more likely to cause obstructions. The right hon. Member for Birmingham (Mr. Chamberlain) said he had a medical opinion in favour of the wholesomeness of soapstone—he was, probably, the only man who would rely upon it.

The Marquess of HUNTLY said, he could assure the noble Lord that the matters referred to had received, and were still receiving, the careful attention of the Government. It was extremely doubtful whether there was any power to prohibit the importation of any of the articles referred to in the Question. The point turned upon Sections 42 and 43 of the Customs Laws Consolidation Act, 1856. The first prohibited the importation of the carcases of any infected animals which the Privy Council might by order prohibit, in order to prevent the dissemination of any contagious distemper. This, however, appeared to be limited to the prevention of diseases among animals, and not to extend diseases among human beings. The second provided that the importation of arms, ammunition, gunpowder, or any other goods might be prohibited by Proclamation or Order in Council. The expression "or any other goods" would probably be construed to refer to goods of the kind enumerated—namely, munitions of war. There was no well-established case of American hams imported into this country being infected with trichinæ, and the only instance in which bacilli had been discovered was the well known Welbeck case. The Local Government Board some time since issued a Circular to all the sanitary authorities in the country, pointing out the precautions to be adopted in cooking pigs' flesh, and impressing upon them the necessity of seeing that their officers used special vigilance in inspecting meat of the description referred to, and dealing promptly with such as appeared to be diseased. There was no reason to suppose that this advice had not been acted upon. As regarded oleo-margarine or butterine imported from America, there was nothing to show that it contained the grease of pigs suffering from the new disease of swine in Chicago, or the fat of infected horses. There was no evidence of any injury from oleo-margarine or butterine which had been imported from America; and with respect to such as was adulterated with soapstone, there was no reason to believe that it was injurious to health at all. Of course, if it were sold as butter, an offence was committed against the Sale of Food and Drugs Act, which could be dealt with under that Act. Moreover, assuming it to be injurious to health, Section 3 of that Act would apply, which provided that if any person sold an article that was injurious to health he should be liable first to a penalty of £20, and then to imprisonment for misdemeanour. Even if there were prohibition, the examination, &c. of butterine at the Custom House could scarcely be carried out, looking to its perishable character; and to insist upon such an examination would be, in effect, to prohibit the introduction of foreign butter altogether. Having regard to these circumstances, it did not appear that the Government was in a position to prohibit the importation of these hams and the other things mentioned in the Question.

## ARMY ORGANIZATION—TERRITORIAL TITLES OF REGIMENTS.

### MOTION FOR AN ADDRESS.

The Earl of GALLOWAY rose to move—

> "That an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to cause a re-consideration of the proposal to efface the present numerical and other distinctions in regiments of the line and Militia by the substitution of novel (so-called) 'territorial' titles, inasmuch as this proposed substitution is known to be viewed as subversive of *esprit de corps*, and is in consequence most distasteful to the officers, non-commissioned officers, and privates generally, whilst it has not the advantage of increasing the Army by a single additional trained or untrained soldier; the proposed re-organization being moreover practically but a fuller development of the present twin (or linked) battalion system which the Report of Lord Airey's Committee has already proved to have been attended with the most disastrous results."

The noble Earl said he gave Notice of this Motion so long ago as the 7th of April; he did it on his own responsibility, and there was nothing in it of a

Party nature. In 1875 and 1879, during the reign of a Conservative Government, he had brought forward Motions on military matters in a similar manner, solely in the interests of the Army and of the country. Four days after he gave Notice of the present Motion, there appeared in the newspapers an epitome of the General Order of the War Office to carry out the scheme of Army Re-organization, embracing the establishment of the territorial system. He had found among several friends of his own extraordinary ignorance as to the meaning of these territorial arrangements; and he should, therefore, venture to give some explanation of the matter. It was 10 years since Lord Cardwell, as Secretary of State, started the scheme of pairs of battalions, whether double or linked. The basis of the scheme was that there should be one battalion at home to be the feeder of its twin battalion abroad, and this arrangement had continued down to the present time. At the same time, it had been thought desirable to establish a local connection between the Militia regiments in the district in which these pairs of battalions of Regulars were supposed to be localized; two Militia battalions were affiliated to two battalions of the Line, making the third and fourth battalions of the brigade, or, as it was now to be termed, the "territorial" regiment. That change was simply nominal, except in regard to the change of uniform and the change of title. As the General Order came out on the 11th of April, it might be thought that his Motion was a day after the fair, but that was not a fair way of looking at it; indeed, he regretted that it would be a part of his duty that night to show that the Secretary of State for War was open to the charge of unfair dealing in the matter—first of all on account of the way in which he had treated the Report of the Committee presided over by the noble and gallant Lord on his right (Lord Airey); and, secondly, in having stated that this proposed re-organization was simply what was proposed by his Predecessor in Office. To appreciate the position in which the question stood, it was necessary to trace it chronologically from its origin; and this could be done most conveniently by giving an epitome of the evidence of Mr. R. A. Knox, Estimate Clerk at the War Office, before the Militia Committee presided over by the late Secretary of State for War, at the time of his holding the Office of Financial Secretary. The Committee was specially appointed to inquire into "certain questions that had arisen with respect to the Militia and the present brigade depôt system in connection with it;" and it was important to bear this fact in mind, on account of Mr. Childers now attributing the initiation of the proposed system of "territorial" regiments to Colonel Stanley, his Predecessor at the War Office. Mr. Knox began by saying that, in March 1869, in introducing the Army Estimates, Mr. Cardwell said he had a strong disposition to favour a system of shorter enlistments. In the end of the same year great pressure had been put upon the Indian Government by the Home Government to reduce public expenditure, and in consequence the Indian Government had offered to send home seven Infantry and four Cavalry regiments. Ultimately, after much discussion at home, it was decided to reduce the number of companies as well as of battalions in India; and the result was that there were to be 50 regiments of Infantry alone in India, instead of 52, and eight companies in each, instead of 10. At the same time, it was determined to withdraw a certain number of battalions from the Colonies, the result being that whereas in 1869, 46 battalions only were at home, in the following year the number at home was increased to 68, and of course there was a corresponding decrease in India and the Colonies. In the same year the short-service system was introduced, with which, however, his Motion had nothing to do. In 1871, Mr. Cardwell explained why he abolished depôt battalions. But this Mr. Knox explained in his evidence was the real commencement of the twin—or double and linked—battalion system, which, he said, was the forerunner, and not the *sequitur*, of the brigade depôt system; and he continued to describe it thus—

"In the plan that was proposed to the Indian Government in 1870, to effect the reductions in their military expenditure, the plan of linking the battalions of the Service where the regiments did not consist of two battalions was fully drawn out, and I will just read briefly what the plan was. This was in February, 1870—'The principle attempted to be carried out in the following scheme is (1) that the Infantry shall be composed of regiments, each consisting of two battalions, within which service shall be interchangeable for both officers and men; (2) that the normal distribution of those regiments shall be one battalion at home, and one abroad, which would take their tours of foreign service alternately; (3) [this was one of the advantages pointed out of the scheme, says Mr. Knox] that the *cadre* of the home battalion be so organized as to admit of a second battalion being detached for service, and yet a strong *cadre* left at home for depôt purposes. The plan in its perfection can be at once worked in all regiments possessing two battalions, one of which is at home and the other abroad. As regards the other battalions, if it may be assumed that before long the number of battalions serving at home and abroad will be equal, one battalion at home could be permanently attached to a battalion abroad as its reserve and depôt, and to alternate with it in its tour of foreign service.' Mr. Knox adds—'Under this arrangement eight companies of the two-battalion regiments would be on foreign service, and 12 companies on home service.' This was in 1870, before the Memorandum of His Royal Highness or the Report of General Macdougall's Committee. In order to start this two-battalion system, a plan was started in the Short Service Act of 1870, which (he says) 'may be described almost as general service for the enlistment of men.' In 1871 Mr. Cardwell explained why he had abolished depôt battalions (in language, as it seemed to him (Lord Galloway), but too curiously applicable in every detail to his own subsequent invention of brigade depôts) in these words—'That system was costly, it was inefficient, it removed the officers from direct subordination to their commanding officers, and placed them under the commanding officers of the depôt battalions. Now it is proposed to establish training centres for the Regular troops and the Militia upon the local principle.' He then explained a proposal to appoint colonels to command large bodies of from 15,000 to 20,000 men. The permanent staff of Militia and Volunteers were to be utilized by these colonels, who were to be colonels commanding of Militia, when the latter were not out for training. Militia and Regular recruits were to be trained together. Militia recruits to have longer training. Billeting of Militia at this time also was objected to. More Regular battalions at home entailed a necessity for more barracks. It was considered, therefore, a convenience was thus afforded to carry out what was wished, of establishing a more intimate connection between the two Forces; 'and thus,' said Mr. Cardwell, 'follows the principle laid down by Mr. Pitt in 1803, that all the instruction of the Militia Forces should be given by the Army.' So far up to 1871 (inclusive), the principle of short service and localization was determined on—that is, identifying with each locality the recruiting and training of Regular, Reserve, and Auxiliary Forces. In 1872, the mode of carrying it out was explained definitely by Mr. Cardwell, and at the same time the brigade depôt system introduced. The chief points were thus notified—'Association of two battalions of Regulars, and two of Militia; the two battalions of Regulars having 20 companies, giving technical strength of one battalion of eight companies for foreign service, the same for home service, and one battalion of four companies, which you can mak into a third battalion or a depôt.' Mr. Cardwell, in 1872, explained in the House of Commons 'that in consequence of further withdrawals from the Colonies and abroad the number at home was 71, and abroad 70 of the 141 battalions of Infantry of the Line;' adding, 'it is intended that of two Line battalions united in one brigade, one shall always be abroad and one always at home. The two Militia regiments will be associated with them in the same brigade.' He (Mr. Cardwell) continued—'That the permanent staff of the two Militia regiments will be associated with the local depôt, and when present interests cease, the new permanent staff was to be appointed from the battalion which constitutes the depôt. Army Reserve men and Pensioners in each district were to be attached to the depôt centre for payment, training, &c. Infantry Militia battalions to be placed under canvas at their respective depôt centres. Line and Militia recruits were to be sent direct to brigade depôts for their recruit training.' Adding—'The object sought to be attained by this arrangement is that the battalion at home may serve as a feeder for the supply of casualties in the twin battalion of the same district serving abroad.' After further questions and answers, A. 22, page 5, Mr. Knox says—'The plan which was in the mind of the Secretary of State in 1871-2 did not include brigade depôts at all; it simply included an idea of dividing the country into large sub-districts commanded by a colonel on the Staff to superintend recruiting and inspect the Auxiliary Forces.

In 1870, estimates provided for 17 colonels
In 1872, ,, ,, ,, 30 ,,
In 1873, ,, reduced to 15 ,,

On page 8, in reply to Questions 66-8, by Sir Garnet Wolseley asking whether the intention had not been to amalgamate eventually the linked regiments, and designate them as one corps, and whether *The Army List* was not changed with that view in its form, Mr. Knox admitted all this, but said it was found inconvenient for reference, and was therefore changed back again. Thus, up to 1872 (inclusive), had been formulated a system embracing (1) twin battalions; (2) short service enlistment; (3) brigade depôts."

Short service was not part of to-night's question. The twin battalion, whether double or linked, was the one and same principle—requiring one battalion always abroad, the other always at home. Brigade depôts may be shortly described as the localization principle, to be carried out by a fusion of the training machinery, and, in consequence, destroying the single battalion (whether Regulars or Militia) as "the tactical unit." This was all started in 1873. In two years the Militia found it was suffering from the effects of the new organization, and set up a howl of lamentation which resulted in the appointment of a Committee which reported in November, 1876.

Here he wished to point out that Colonel Stanley, then Financial Secretary at the War Office, and Chairman of this Committee, prefaced a question which he put to Mr. Knox by a remark which showed that the whole object of the appointment of the Committee was to inquire into the evils from which the Militia was suffering. He said—"This question of the brigade depôt is only referred to us as far as the Militia is concerned." The two chief points which the Committee of which Colonel Stanley was the Chairman recommended were—first, that the Militia battalion should have returned to it its Adjutant, Quartermaster, and permanent Staff, in order to have it restored as a tactical unit; and, secondly—he was quite prepared to admit this much—that the double or twin battalion system having been established, as far as the Infantry of the Line was concerned, the two Militia battalions of the district should become the third and fourth battalions in direct association with them, thus forming in each district a regiment composed of two battalions of the Line and two of the Militia. But the Committee further said that where both battalions of the Line were abroad at the same time the normal establishment of 100 men at the depôt should be expanded to 600, and that, if necessary, one Militia battalion or more should be embodied. It should also be remembered that that Committee was empowered to report only as to improvements in detail on the system established, not to recommend its reversal. The Report was made in November, 1876; and in 1877 the noble Viscount (Viscount Cranbrook), then Secretary of State for War, acted on the advice of the Committee as to restoring each Militia battalion as a tactical unit by giving it back its Staff. The recommendation about the "territorial" regiments came to nothing; and it might, therefore, be fairly argued that the proposition could not have found favour with Viscount Cranbrook. In the spring of 1878 Colonel Stanley became Secretary of State for War; but he did not attempt to introduce "territorial" regiments. He wished their Lordships to bear in mind that Mr. Cardwell, when Secretary of State for War, always urged that the sole object of the new system was to insure that the country should always be prepared for war; and this it was most important to bear in mind in arguing the merits of this question, for it was too apt to be lost sight of. This time, in 1878, indeed, was the first opportunity of testing the new system. But what happened? Two years ago there were two small wars on our hands, the Zulu War and the Afghan War; but in both cases there was a universal outcry against the wretched state in which our battalions had to be sent out. There were innumerable Returns called for on the subject; and, as their Lordships must remember, on both sides of both Houses the subject was continually brought forward. He himself, among others, brought the subject under their Lordships' notice; and his special argument was that the breakdown was far more attributable to the twin battalion, with its *sequitur* the brigade depôt system, than to the short service system. After he had spoken, the Duke of Buccleuch acquiesced in his remarks, upon which Lord Cardwell got up and said he was surprised at the noble Duke's acquiescence, because he was one of those who signed the Report. The noble Duke said it was perfectly true he had signed the Report—

> "But the result of his experience since 1876 had disappointed his expectation that the new system would prove a success."

Lord Limerick, who also sat on the Committee of 1876, said on the same occasion it was true that he also had signed the Report; "but if the question had been an open one"—in other words, if they had had to report on the advisability of the system itself—"the result would have been different." The real fact—as told him by Members of the Committee—was that there was so much recommended in the Report that was good that no one liked to decline to sign it. But there was a further fact, which was that though the "territorial" system was recommended by the Committee, anyone who read the evidence would find that Sir Garnet Wolseley was the person who was really anxious for that system. Sir Garnet Wolseley had at that time carried out the Red River Expedition — a bloodless campaign — with great credit to himself; he had afterwards marched to Coomassie through a mass of jungle, in very difficult circumstances, fighting his way up to that city with yet greater credit to himself, having rightly estimated exactly the number of days it would take. He was thus, at this particular moment, at the zenith of his fame, and it was only natural that his opinion at the time should be taken in preference to any other. Anyone who went through the evidence would see that the Report, as regarded the "territorial" system, was his child alone. His reason for dealing fully with that part of the subject was that on the 3rd of March last the Secretary of State for War having at length been induced to promise the production of the Report of the Army Organization Committee on the following morning, had announced that his Predecessor's Committee in 1876 had recommended the complete fusion of the four battalions—two of the Line and two of the Militia—into one territorial regiment; and he was, therefore, now anxious to point out that, although attributed to Colonel Stanley, as Chairman, the scheme was in reality that of Sir Garnet Wolseley. It might be, naturally, further asked why the changes recommended in 1876 had not been carried into effect up to this time, if Colonel Stanley was so anxious to act upon his own supposed recommendation. But too much stress, it must be admitted, should not be laid on his not having adopted it during the time he was Secretary of State for War, for he found on his hands, in 1878 and 1879, the Afghan and Zulu Wars. Shortly after the late Secretary of State for War came into Office there were constant complaints of the unprepared condition of our Forces; and Colonel Stanley evidently doubted whether the establishment of territorial regiments was likely to prove the true remedy for that unfortunate state of things. He, on the contrary, appointed a Committee, as strong a Committee as could possibly have been chosen, to inquire into the subject. It was worth while to notice the treatment received, not only by that Committee, but also by Parliament, at the hands of the present Government. The Blue Book in which this Report was published contained great quantities of important evidence, and the Report itself displayed the deepest and most copious knowledge of military matters. That Report was received by Colonel Stanley during the last few days of his tenure of Office; then came in March, 1880, the Dissolution of Parliament, and, though Parliament re-assembled in April and sat on into the second week in September, the Report still remained in the hands of the Government, in spite of the constant remonstrances of political friends and foes in Parliament. On November 1 *The Times* published the first of a series of articles on Army Reform, which bore evident marks of inspiration, and this continued at intervals until the tardy production of the Report early in last March. He did not blame a journal for anxiously endeavouring to be well informed; but it was extraordinary, to say the least of it, that the Report should have been so long withheld from Parliament after it had been practically communicated to *The Times*, and even after the production of the Report their Lordships had further just reason to complain. Notice was given in that House that attention would be called to the Report by Lord Abinger on the 20th March, scarce a fortnight after its production; but the debate was postponed for a fortnight at the special request of the Duke of Argyll, at that time a Cabinet Minister, as his Grace suggested, "for the convenience of the Government." The discussion was therefore fixed for April 4; but before that day arrived was issued, bearing date the 1st of April, Mr. Childers's re-organization scheme. That was treatment of which both the Committee and the Members of both Houses had a just right to complain. The Secretary of State for War had in some cases accepted the recommendations of the Committee in a modified form. In adverting, however, to the proposal for abolishing the system of linked battalions, the right hon. Gentleman said—

> "I must refer to this part of their Report with some qualification; because, however eminent may have been the gentlemen who constituted the Committee, their opinion on this question was not sought in the official reference to them. On the contrary, they were told 'that there was no intention on the part of the Government to depart from the general principles of re-organization which had been accepted by the country since 1870.'"

This was not a pleasant way of alluding to what a Committee of distinguished Officers evidently considered to be the most important part of their Report. Mr. Childers went on to remark—

> "I find, however, that at the last moment, when five-sixths of the Evidence had been taken, and when the Committee were on the eve of preparing their Report, a note, in an unofficial form, of which there is no record in the War Office, was received by the Chairman

of the Committee, saying that they were not 'precluded from touching on' this question. Whatever may have been the authority for this note, I must decline to treat the recommendations of the Committee on this head, in which they were not unanimous, as other than the personal opinions of a body of officers for whom, as individuals, I have the greatest respect."—[3 *Hansard*, cclix. 195.]

Within the last three days he had been authorized by his noble and gallant Friend who presided over that Committee to say that on various occasions he went on various points for more direct authority to the Secretary of State for War, and that the right hon. Gentleman's special instructions were, that the Report should be made as wide as possible. It had been alleged that the note was an unofficial one; but his noble and gallant Friend would inform their Lordships that he not only received a verbal sanction from the Secretary of State to go into this question, but that, in order that there might be no mistake, a note was sent to him by the permanent Under Secretary corroborating that sanction. But if further proof be wanted on this subject, reference need only be made to Clause 14 and the following paragraph of the Instructions to the Committee, signed by the Secretary of State for War—

"Clause 14 (*n.*) Lastly, as being a matter closely connected with the above considerations, it would be well that the Committee should place on record their opinion whether the present organization of battalions and companies is, on the whole, the best for the purposes required for the English Army, both at home and abroad.

"The Committee may further report upon any other question that may be raised, during the investigation, in connection with the above references, and they may call for any Papers or Returns which they may deem necessary.

"War Office,

"20th June, 1879. (Signed) FRED. STANLEY."

In regard to the remark of Mr. Childers "that the Committee were not unanimous on this head," he might point out that this could only refer to Sir Patrick M'Dougall, who, having been Chairman of the Localization of Forces Committee, was bound to put a good face on the matter and to support the system of linked battalions. For Sir Patrick was the only dissentient to unlinking; and even he (whose opinions on Army Reorganization the noble Lord quoted at great length) admitted that the system of linked battalions had not worked well, though he excused its shortcomings on the ground that it had been "unfairly weighted," making, however, this remarkable admission, that—

"It is only in time of peace that the number of battalions at home can balance the number abroad;"

and yet it was acknowledged that it was this basis upon which the system was dependent for expansion in time of war. Their Lordships would see, therefore, that too much importance ought not to be attached to the so-called want of unanimity on the part of Lord Airey's Committee. He must now ask permission to quote several passages from the Report of the Committee in support of his argument. On reference to paragraphs 21, &c., on page 10 of the Report of the Committee, it would be seen that the original scheme—that was, Lord Cardwell's—could never be carried out—namely, "that one battalion should always be at home, and one always abroad," on account of the distribution of battalions from year to year, which would be best shown by quoting the following extracts from the Report of the Committee, of which paragraphs 21, 22, 23, 24, 27, 28, 29, and 30, 31, 32, 34, were thus analyzed—

| | BATTALIONS. | |
|---|---|---|
| | At Home. | Abroad. |
| 1872 .. | 70 .. | 71 |
| 1873 .. | 70 .. | 71 |
| 1874 .. | 69 .. | 72 |
| 1875 .. | 70 .. | 71 |
| 1876 .. | 69 .. | 72 |
| 1877 .. | 68½ .. | 72½ |
| 1878 .. | 64 .. | 77 |
| 1879 (Feb.) | 59 .. | 82 |

"Defects of scheme as worked are that even in time of peace the demand for men to supply the battalions on foreign service cannot be met from the depôts, and recourse must be had to the linked battalions, which are thus deprived of their best men; the recruits being transferred, after few weeks at depôts, on to home battalions, and then on to others, unsettles their minds, their interest in obtaining good opinion of officers lessened, discipline and regimental *esprit de corps* both suffer—no knowledge of one another between men and officers must prove fatal.

"In time of war these defects are intensified, and battalions first for service are rendered inefficient.

"A call for volunteers from the Reserve may be ineffectual (as proved in June, 1879, when 11 sergeants, 19 corporals, and 1,039 privates only responded at a most favourable opportunity in every way); but in any case the men not immediately available.

"These defects caused by varying distribution of numbers of battalions decreased in their strength. No source left available whence the men required for war could be supplied but by taking volunteers from battalions at home. They in turn when wanted become skeletons."

He must ask permission further to read, *in extenso*, paragraphs on page 42—namely, 263, 264, 265, 266 (as well as paragraph 27 in the Summary) on Linked Battalions—

"We cannot close our Report without referring to a question which, being intimately connected with the present organization, has been pressed upon our consideration in the evidence we have taken, and has a most important bearing on the efficiency of the Army. In the early part of our Report (in 25 and following paragraphs), we pointed out the evils which have arisen from the system in force of linking battalions, by which the battalion at home is practically converted into a depôt for its affiliated battalion abroad, having to furnish drafts for its maintenance to such an extent as to be utterly subversive of efficiency and of that *esprit de corps* which is essential to the constitution of a good and effective corps for service in the field.

"(264.) We pointed out that under this system the field for the selection of non-commissioned officers was restricted, and that the efficiency of the battalions first on the roster for foreign service was seriously impaired.

"(265.) We have expressed our opinion (paragraph 170) that it is essentially necessary that the weak battalions at home should be in a condition to receive the men of the Reserve when called out on emergency, so that they may be got into good working order without delay; but we are of opinion that this cannot be the case so long as the home battalion is the depôt of its affiliated battalion abroad. The evidence, also, as to the conduct of the young battalions employed in the Zulu War has clearly shown that under the existing system there is a deficiency of that solidity which is due to a thorough knowledge of the various members of a corps, including officers, non-commissioned officers, and privates, of each other, and of that feeling of comradeship which is a great motive in causing men to stand by each other with firmness and resolution in the hour of trial.

"(266.) The result of the evidence we have taken has been to impress strongly upon our minds the absolute necessity of some decided measure being taken to re-establish to the utmost that *esprit de corps* which formerly bound men of the same regiment together as a family having common interests and such strong ties that the honour and credit of the regiment was dearly cherished by each individual composing it. This feeling not only tends to efficiency in war, but to promote good discipline and conduct in peace. After much consideration, we have come to the conclusion that it can only be re-established by unlinking the battalions, by which we mean that the officers and men should, as formerly, belong to separate units, and not be transferable from one to the other. We are aware that this measure, according to the scheme for organization we have proposed, will be attended with expense; but so strongly are we impressed with its necessity, that we unhesitatingly recommend it, and are decidedly of opinion that the expenditure will be more than compensated if, by this means, a proper feeling of *esprit de corps* can be restored. This expenditure will be caused by the necessity of maintaining larger depôts, but will be compensated, in great measure, by the considerable additions it will bring to the Reserves, and their more rapid growth. Such brigade depôts as shall not be converted into training depôts should be used for the head-quarters of Militia regiments; for training the recruits of the Militia; as recruiting centres; and as centres for the Reserve men residing in that sub-district. The establishment of a depôt from each regiment in each district will not be necessary, and the staff of the brigade depôts should be reduced to such an extent as will suffice for the duties which will remain to be performed thereat.

"(Summary 27.) With a view to prevent the frequent drafting of men from one regiment for service in another, to the cessation of the system by which one regiment serves as a depôt for another, and to the re-establishment of *esprit de corps* in, and efficiency of, regiments, the present system of linking should be done away with.

(Signed)
AIREY (Chairman)
NAPIER of MAGDALA
J. L. A. SIMMONS
P. L. MACDOUGALL } Generals.
J. W. ARMSTRONG
H. W. NORMAN
A. ALISON
W. B. SAUNDERS
H. HUTTON } Colonels.
T. G. BIGGE

He fearlessly challenged the statements made by the right hon. Gentleman the Secretary of State for War on this subject. The right hon. Gentleman said that if the large scheme was adopted they should repeal their legislation and undo their policy. That need not be the case, for, practically speaking, they need hardly disturb the existing organization. "They should," said the right hon. Gentleman, "alter the whole system of brigade enlisting." Well, he asked whether it was not easier to enlist men for one particular regiment than for more than one regiment? Again, he said that they would "confuse the right and seniority of every officer appointed within the last eight years." That was simply an effort of the imagination.

EARL GRANVILLE wished to point out to the noble Earl that it was not usual in that House to read from a written speech.

THE EARL OF GALLOWAY said, that to read a speech was not his habit. He had copied quotations he meant to rely on, thinking that it would be more convenient to read them from the manuscript in his hand than from the Blue

Book. He had confined his reading to quotations and figures. If the noble Earl looked at the paper he would see that it consisted of memoranda which, legible to him, would be quite useless to anyone else. The subject was one of great importance, and he held that it was the bounden duty of every Member of Parliament who believed that a grave wrong was about to be done to the country to rise in his place and protest against it. The figures he was about to quote were taken from the revised Estimates of the Secretary of State for War, and the result of the detailed statement was that 68 depôts would have establishments for the training of about 3,530 officers, non-commissioned officers, and men. The total cost of the 68 brigade depôts, without including recruits, would be £184,167 without rations, or, including rations, £250,000. By the scheme proposed by his noble and gallant Friend the Chairman of the Committee, the cost would be under £150,000. The right hon. Gentleman the Secretary of State for War said that by his scheme the first 12 regiments for foreign service would have 950 men, and 150 each for their depôt, or 1,100 men. But under the larger scheme the number of men would be the same — they would keep 300 for furnishing the battalion abroad, and have 800 in the other battalion, whether linked or separate. The right hon. Gentleman said, with respect to territorial regiments, they proposed that the two battalions of the Line and two of Militia which now formed a territorial brigade should henceforth form territorial regiments with a common depôt. Then followed a statement of, as he would call it, a general dislocation as to the Scotch regiments, with the addition that "the other two depôts—Edinburgh and Ayr—would remain unchanged." His noble Friend opposite said that no increased expense would be attached to the change. [The Earl of MORLEY dissented.] What the noble Earl said in reply to his having moved for a Return of the expense to the country and individual officers incidental to the proposed changes—and he was now quoting from *Hansard* — was that the expense of the proposed changes would be very slight, as only badges and facings would be changed this year. The more important changes, such as alterations in the colour of uniforms, would be deferred till the next issue of clothing. A Return would be misleading. As to the officers, he did not really see how it could affect them very much. Such was the noble Earl's reply. He had himself got an estimate of the cost from Messrs. Hobson —a moderate firm in Little Windmill Street—and it appeared that the alteration in the Scotch regiments would cost the officers £49 5*s.* per head, and in the English regiments £18 2*s.* 6*d.*; while the cost to the country in their behalf, or else to the individual officers themselves, of the one brigade with which he himself was associated—namely, the 61st, at Ayr, would be over £6,000. This was for the officers alone of one single brigade to be converted into a "territorial" regiment. The opinion of officers on the subject generally might not, perhaps, be thought worthy of consideration, after the treatment recently experienced by those distinguished Officers who had framed their Report as the result of the most exhaustive evidence; but he would quote some opinions of non-commissioned officers and privates as to the proposed amalgamation of Infantry regiments, the abolition of their numbers, and the extinction of their regimental individuality. A corporal of the 52nd Light Infantry, a remarkably fine and intelligent man, said—

> "I am quite sure nothing would cause more general discontent than doing away with the numbers. What would my regiment be without its number? It is only by its number that it is known in history, and if the number is taken away there will be no connection between the regiment and its history."

A corporal of the 6th Regiment, a fine young fellow, an Irishman, said—

> "Is it take away our numbers? Sure, then, we would be only Militia. They have taken away half our facings, and when the number is gone the history of the old regiment will be gone too."

A sergeant of the 52nd, a smart young fellow, said—

> "I have heard of some changes, but didn't hear till now that we were to lose our numbers. That will be bad. But you see, sir, they have left us the stripes on both arms yet."

A sergeant of the 69th said—

> "These changes will cause great discontent. We hate the 41st already because we are to be joined with them."

A colour sergeant of the 22nd said—

> "I couldn't bear to leave my regiment for any other, and I should not like to leave

> my battalion. I should resign my stripes sooner than go to the other battalion. I am quite ready to go anywhere to-morrow with my own battalion. I wish they would send for a sergeant from each regiment, and ask him what he thinks of these changes."

A private of the 73rd said—

> "I am a Londoner, and I don't want to be a Highlander and to wear the kilt. I know my regiment was the second battalion of the 42nd; but that was many years ago, and we don't want to go back."

He held in his hand several other quotations, all of the same import, which it would be unnecessary to read. He might add that he had also received sundry growls by letter as to specific changes; but that was not his point. He wished to show that both the country and individual officers would be put to great expense in order to create general dislocation and fresh re-allocation, which would take a century to learn, and all that to perpetuate a system which had proved to be rotten and to have broken down by the Report of the Committee appointed specially to investigate the subject after taking voluminous evidence. To continue and perpetuate this system in its intensity was simply to court fresh disaster. He imagined he would be told in reply that the new organization would give an aggregate increase of 2,792 in the number of men, as suggested by a curiosity Memorandum emanating from the War Office. He denied it, and requested proof. Neither Lord Airey nor General Sir Lintorn Simmons admitted it, for there was nothing in the proposed re-organization that could supply more men. It was said that there would be an advantage in a regiment being kept abroad longer—namely, for 16 years, and that it would be more economical. But it was no economy. The regiment would have changed nearly three times over in that time. If they had to send out 1,000 men in one regiment, or five drafts of 200 men each, the expense was the same. He might be told that the House of Commons had passed the scheme; but he utterly denied that the House of Commons had had an opportunity of really discussing it; and he had seen in the newspapers that the scheme had been challenged by Notice of Motion in the other House, although no opportunity had yet been afforded for discussion on the point. He doubted also the wisdom of raising fresh suspicions in the minds of the Militia as to their becoming Line soldiers. He begged to apologize to their Lordships for the length at which he had spoken. He thought, however, that he had proved the proposed scheme of re-organization to be, in detail, ridiculous as regarded the changes in uniform, and, in principle, unsound, unreal, and unpopular—he might almost have added inhumane. But that was a question which came under the head of the "Waste of the Army," with which he would have a further opportunity of dealing. In regard to the length of his speech, he must plead the importance of the subject; and simply ask them to consider the serious state of matters now on the shores of the Mediterranean, and the equally serious state of things across the Irish Channel. He asked, then, whether this was a time well chosen for taking away from regiments those traditionary numbers and special distinctions in dress to which they had been so long accustomed, of which they were so justly proud, and which they still so dearly cherished?

*Moved*, That an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to cause a re-consideration of the proposal to efface the present numerical and other distinctions in regiments of the line and militia by the substitution of novel (so-called) "territorial" titles, inasmuch as this proposed substitution is known to be viewed as subversive of *esprit de corps*, and is in consequence most distasteful to the officers, non-commissioned officers, and privates generally, whilst it has not the advantage of increasing the Army by a single additional trained or untrained soldier; the proposed re-organization being moreover practically but a fuller development of the present twin (or linked) battalion system which the Report of Lord Airey's Committee has already proved to have been attended with the most disastrous results.—(*The Earl of Galloway.*)

The Earl of MORLEY admitted the great importance of the subject introduced by the noble Lord. The noble Lord had gone at great length into the history of Army Organization since Lord Cardwell's scheme was framed, 10 years ago; and he trusted that the noble Lord would acquit him of any discourtesy if his answer did not extend to the same length. He doubted whether his noble Friend fully appreciated the great difficulties which surrounded questions relating to the organization of the British Army. The important fact must be always borne in mind that more than half our Army was employed in foreign service — 50 battalions of Infantry being permanently stationed in India, and 20 in the Colonies; and that these battalions were annually kept up to their full strength by drafts from home. This fact lay at the basis of every scheme of organization. The problem to be solved was how to keep up a sufficiently large Force at home, and, at the same time, to feed the Army abroad. The scheme now criticized was based on no new principles; it was the logical consequence or development of Lord Cardwell's original measure. That measure rested on two important principles—namely, first, the organization of the Infantry of the Line in double battalions; and, secondly, the localization of those battalions connected with Militia battalions at the brigade depôts. The first principle was carried into effect by "linking" two regiments in cases where they had not a double, or, as in the Rifle Brigade and 60th, a four-battalion constitution, the object being to facilitate the relief of foreign battalions. The second principle had for its object the union of the Auxiliary and Regular Forces, and the improvement of recruiting in all parts of the country. He could assure the noble Lord that the Government was very grateful to Lord Airey's Committee for the ability and industry with which they had conducted their inquiries; and, so far from depreciating the importance of their Report, the Secretary of State, he was glad to say, had been able to adopt, in a great measure, the most important recommendations of that Report. He had not been able to adopt their suggestion that all the linked regiments should be unlinked, and that we should revert to a single-battalion organization. On this point the Committee were by no means unanimous. Moreover, another Committee, presided over by the late Secretary of State for War, and composed of several distinguished Officers and Members of this House, had three years previously recommended a distinctly opposite course —namely, the formation of territorial regiments, consisting of two Line and two Militia battalions. With this conflict of authorities, the Secretary of State was bound to consider the two proposals on their merits. The noble Lord had attributed all the difficulties in completing battalions for service in South Africa to the linking system. He was at a loss to understand how he arrived at that conclusion. If, as the noble lord appeared to wish, all regiments had had but one battalion, fed by a depôt at home, would the difficulties then experienced have been avoided? Far from it; the battalions on active service would equally have been made up to their full strength by volunteers from other regiments. There would have been no other source from which the men could have been drawn, for it was clear that the depôt formed only when the battalion was ordered on foreign service could not have furnished them. The true cause of all these difficulties was to be sought, not in the system of double-battalion regiment, but rather in the fact that that system had not been worked out in the manner which was suggested by those who, in the first instance, recommended its adoption. The regiments at the top of the roster for foreign service were all far weaker than they ought to have been. Instead of having 18 regiments of 800 men, these regiments were only at a strength of 740; and, moreover, in consequence of the opinion given by the Law Officers of the Crown, the late Government did not at first consider that they could accept the service of volunteers from the Army Reserve. In consequence of the weakness of the regiments, large numbers of men were required to raise them to war strength; and as the Reserve men, even as volunteers, could not be employed, these men were drawn from other battalions and regiments at home—a most unfortunate proceeding, but one which was constantly resorted to in former days—in the days, for instance, of the Crimean War—and for which the new organization was by no means responsible. Indeed, he (the Earl of Morley) might fairly say that, had the linking system never been introduced, the difficulties in the way of preparing the battalions for the war in South Africa in 1879 would have been even greater than those which they had actually experienced. Further, he might quote the case of the two four-battalion regiments —namely, the 60th and the Rifle Brigade. The comparative ease with which battalions of these regiments were prepared for service was an argument for going further in the direction of large regiments than was now proposed, rather than of adopting the course suggested by the noble Lord. He admitted that the linking system had not worked quite satisfactorily—there had been a certain amount of friction, there had been found a want of unity of sentiment in many cases between the two linked battalions. It was impossible to remain in the present position; we must go forwards, or back—back to single battalions, or forwards to consolidated regiments of double battalions, with the same constitution as the first 25 regiments of Infantry. The noble Lord quoted from a speech of his right hon. Friend the Secretary of State the objections to reverting to the old organization—namely—"You would then have to repeal the whole of the localization scheme. You must break up the first 25 regiments, the 60th, and the Rifle Brigade, into single battalions; and you would practically have little or no use for the depôts, on which nearly £3,500,000 had been expended." In spite of the noble Lord's argument, he ventured to think that these were very strong arguments against such a course of proceeding. There was, however, another way of regarding the question. To supply the annual reliefs for battalions on foreign service a very large number of recruits would be required—the estimates varied from 16,000 to 20,000; and if, as was now proposed, no soldier was to be sent to India with less than one year's service, the latter figure would probably not be much above the mark. These men would, according to the noble Lord's scheme, be posted to the depôts of the battalions abroad; whether in small depôts, or in battalions, or at large training stations, as proposed by Lord Airey's Committee, it was not necessary now to inquire. These recruits would be quite useless for home service. The question would then arise, By whom would the expense be borne? It was not likely that any Government would impose this burden on the Indian Exchequer; and, on the other hand, it was doubtful whether this country would pay for an army of recruits useless for service at home. No doubt, the difficulty might be met by including these 16,000 men in the Home Establishment, and treating them as supernumerary to the service battalions. But if the home battalions were to be kept at their present strength, this would mean a very large addition to the Home Army; and he asked their Lordships whether there was any probability of the House of Commons assenting to such an addition? If, on the other hand, the Home Establishment could not be increased to such an extent, the only possible means of finding place for these depôts would be either by diminishing the strength or the numbers of the home battalions. It was admitted on all hands that the home battalions could not be reduced in strength. Consequently, the only alternative left would be to reduce their number, and to find room for the 16,000 men in the depôts of foreign battalions. They would be forced to destroy at least 20 battalions of Infantry. Was that the best way to strengthen the Army? For the sake of reverting to the old organization, they would destroy 20 or more regiments which, though weak in times of peace, could, in a case of national emergency, be developed, by means of the Army and the Militia Reserve, into thoroughly efficient battalions. This argument appeared to him (the Earl of Morley) conclusive. For these and other reasons the Secretary of State had determined to adopt the recommendations of Colonel Stanley's Committee. The Report of that Committee had been adopted without a dissentient voice. The noble Lord had hinted that certain Members of that Committee, who were colonels of Militia, and also distinguished Peers, had signed the Report because some of the recommendations would benefit the Militia, not because they agreed with the territorial system—which was, after all, the great principle on which all the other recommendations were based. He could not accept such an explanation; it was not likely that the noble Lords in question would have taken such a course. Had they entertained at the time the opinions attributed to them by the noble Lord, they would have qualified their assent, or they would have explained their views in Supplementary Reports, as was done by several Members of Lord Airey's Committee who differed, in principle or in detail, from the Report of the majority. Without such qualifications, the Report stood as one which was adopted unanimously by a strong and able Committee. Now, with regard to the question of *esprit de corps*, he (the Earl of Morley) was far from undervaluing the importance of *esprit de corps* in the Army. It was a sentiment which he honoured and respected in the highest degree, and one to which as little violence as possible should be done. But respect for this sentiment might be carried a little too far, if it were allowed to prohibit any changes of organization which were, in other respects, for the good of the Army at large. Moreover, he would ask whether these changes would, as the noble Lord foretold, destroy all *esprit de corps* in the Army? He should be extremely sorry to think that these anticipations would be realized. Every effort had been made to preserve, in each case, the badges and distinctions in which the various regiments felt a just and an honourable pride. Every effort had been made to associate together regiments which were connected together by local or other ties. In some cases, no doubt, a certain amount of self-sacrifice would be required; but these cases had been brought within the narrowest possible limits; and even if in these cases the old associations were, for a time, weakened, he hoped and believed that, in process of time, an enlarged *esprit de corps* would grow up in the territorial regiments which it was now proposed to create. Many persons, he was aware, considered this a fanciful theory. A sentiment of this kind could not be created in a day; but even now, though the local system was as yet scarcely in thorough operation, experience showed that this enlarged *esprit de corps* was being gradually formed. In the Appendix to the last Report of the Inspector General of Recruiting would be found the answers of 64 colonels commanding depôts to the question—"Is a local connection beginning to establish itself?" Fifty-four of these officers gave affirmative answers, and only five directly negative answers. That could not but be regarded as highly satisfactory. The noble Lord referred to the expense which would devolve on officers in consequence of changes of uniform. On that subject he (the Earl of Morley) could only say that arrangements would be made to render this expense as light as possible; and in cases where regiments which had now scarlet uniforms were converted into Rifles or kilted regiments, the Secretary of State for War would be prepared to give the officers some pecuniary assistance, the amount of which was now being considered. While speaking of the officers, he would point out that in double-battalion regiments they had this not inconsiderable advantage—they could, if they wished, exchange from the home to the foreign battalion, or *vice versâ*, without losing their places in the regimental list; whereas, if an officer exchanged from one regiment to another, he was placed invariably at the bottom of his rank in his new regiment. He had listened attentively to the speech of the noble Lord, and had not heard an argument which proved that the single-battalion organization was better suited to the peculiar conditions of the British Army than the organization which now existed, and which it was proposed to consolidate. Not one of the defects which the noble Lord deplored would be met by the retrogressive policy which he proposed. It might be argued that an organization of regiments, consisting of three or four battalions, would be more elastic and capable of adapting itself to sudden emergencies than a double-battalion system; but to contract regiments to a single battalion, resting, when abroad, on its own depôt, would, he maintained, be a step in the wrong direction. Such a course would render it impossible to carry into effect the new system of supporting our Indian and Colonial Army, which he (the Earl of Morley) had explained on a previous occasion. The object of this new system was, as far as possible, to insure the Indian Government that the men sent out to them would serve in that country for a full term of seven years. The efficiency of the Indian Army would thus be promoted, and a very considerable economy would be effected—a matter of very great importance. It would be effected by retaining the battalions for a longer period in India, and supplying their deficiency by annual drafts, rather than by relieving a large number of battalions. He had already shown that by reducing the number of battalions annually sent abroad as reliefs from eight to four the constitution of the Army at home would also be improved. It would, in these circumstances, be much easier to keep the regiments first on the roster up to their full strength, ready for any sudden emergency, without suddenly pouring into their ranks a large number of young and half-trained recruits, a course which obviously diminished their efficiency. The system which he was now advocating would, he believed, at the same time, facilitate our foreign reliefs, and would tend to improve the constitution of the home and foreign Army. It would promote the union which it was most desirable to establish between the Regular and Auxiliary Forces; it would stimulate recruiting throughout the country, and would, by degrees, form an enlarged *esprit de corps* in the territorial regiments, without obliterating the associations which these regiments cherished. If these proposed changes were for the good of the Army at large, even though at first they might be at variance with the feelings of some individuals, he could, with confidence, rely on the public spirit and patriotism of officers and men to accept them, and to assist loyally in carrying them into effect.

VISCOUNT BURY urged his noble Friend behind him (the Earl of Galloway) to be content with the expression of opinion which he had elicited from the Government, and not to push his Motion to a division, especially as the House was almost empty, and as the changes referred to were actually being carried into effect under a General Order recently issued. There were, no doubt, several noble Lords who would have liked to address the House on this subject; but other occasions would certainly arise on which they would be able to do so. For his own part, he would only point out, in reference to the speech they had just heard, that while the noble Earl assumed that existing defects in the organization of the Army were about to be remedied, the adoption of the territorial system would not in the least help them to attain that end. The great difficulty was to obtain men. By the new system they would not get any greater number. Another difficulty was —seeing that there were to be 71 battalions at home and 70 abroad—that the dislocation of any single battalion would dislocate the whole. The new territorial system would dislocate them in exactly the same way. The scheme of the Secretary of State for War had many good points, which deserved a fair trial, and that trial would have been given it in the most complete manner if the linked regiments had been left together, and not changed into territorial regiments, which, he maintained, entirely subverted the regimental plan upon which the British Army had been successfully based in the past. He did not believe that the territorial system would succeed, and he thought it was a step which might hereafter have to be retraced; but the responsibility meantime must rest with the Government, and he would advise his noble Friend not to divide the House on the question.

THE EARL OF NORTHBROOK remarked, that the noble Viscount (Viscount Bury) had not correctly appreciated the remarks of his noble Friend (the Earl of Morley). The system of territorial regiments was not an invention of the present Government, but had been handed down to them from their Predecessors in Office; and he was surprised at the objections raised to it by the noble Viscount, because it was the recommendation of Colonel Stanley, the late Secretary of State for War, under whom the noble Viscount had served. As regarded the difficulty of meeting Colonial wars, their Lordships ought to bear in mind that it was not upon the territorial system alone, or indeed principally, that the Government relied. The development of that system was only one of a series of measures which had been introduced by the present Secretary of State for War; and it should be remembered in these discussions that we were now in a much better position as regarded Reserves than we had ever been previously. He agreed with the noble Viscount that it would be inconvenient to prolong the debate, and would only add that their Lordships might rely upon the Secretary of State for War endeavouring to meet the various difficulties of the situation to the best of his ability, and that he would do his best to preserve the *esprit de corps* of the regiments.

LORD AIREY did not complain of the course which the Government had pursued in adopting their own scheme in preference to that recommended by the Committee over which he presided; but he thought that there were just grounds for complaining that the Government had unduly delayed the publication of their Report. He believed that if it had been produced sooner, the system would have been different from what it was now. He had great doubts whether the present system was anything more than an experiment.

Lord CHELMSFORD said, he had intended to speak upon this Motion; but, looking at the state of the House, he would reserve what he had to say to a future occasion. Too much stress had been laid upon the Committee over which Colonel Stanley presided having recommended the formation of territorial regiments. The double-battalion system had not at that time been tried and failed. The weak point of the system was that when the home battalion acted as a feeder to the one abroad, it became absolutely unfit to be employed on active service. It would require about 600, or even 700, Reserve men to bring it up to war strength; and it would consequently be some time before a battalion so composed could possibly be fit to take the field.

The Earl of GALLOWAY protested against the doctrine that if a civilian met a soldier in the street he was not at liberty to inquire of him how he liked the Service, his regiment, and his uniform.

Motion (by leave of the House) *withdrawn.*

House adjourned at half past Eight o'clock, till To-morrow, half past Ten o'clock.

# HOUSE OF COMMONS,

*Monday,* 16*th May,* 1881.

MINUTES.]—Ways and Means—*considered in Committee—Resolutions* [May 13] *reported.*

Public Bills — *Leave* — Church Patronage (No. 2) * [House counted out].

*Second Reading*—Local Government Provisional Orders (Askern, &c.) * [152]; Land Law (Ireland) [135]—[*Seventh Night*]—*debate further adjourned.*

*Second Reading—Referred to Select Committee*—Local Courts of Bankruptcy (Ireland) [164].

*Committee* — Petty Sessions Clerks (Ireland) [41]—R.P.

*Lord Airey*

## *QUESTIONS*

## ARMY—COMPETITIVE EXAMINATIONS.

Mr. RYLANDS asked the Secretary of State for War, Whether his attention has been directed to the following facts disclosed by the Return of March 24th relative to First Commissions in the Army—namely, that during the years 1879 and 1880, 1,630 young men qualified for First Commissions in the Army before the Civil Service Commissioners at the open Competitive Examinations; that only 448 of these successful Candidates at the open Competitive Examinations obtained First Commissions in the Army during 1879 and 1880; whilst 423 First Commissions in the Army were given to Militia Officers during the same period; whether he can state the number of young men who, having been unsuccessful in open Competitive Examinations, received First Commissions in the Army as Militia Officers, or otherwise, during the years 1879 and 1880; and, whether he is prepared to take any steps to prevent the continuance of the state of things which appears in the abovementioned Return to have existed during the years 1879 and 1880?

Mr. CHILDERS: Sir, I have paid especial attention for some time past to the subject of the Return to which my hon. Friend refers. It is most important and instructive; but, whether from the language of the Return or not, he has been led into some misconception of the facts. The 1,630 young men who qualified for first commissions in the Army in 1879 and 1880 were not all successful candidates at the open competitions. All the successful candidates have obtained, or are in course of being given, commissions, and they are the 448 for the year 1879-80 to which my hon. Friend refers in his Question. All the Militia officers who obtained commissions are included among the 1,630 who qualified in 1879 and 1880, or among those who qualified in previous years, or have qualified by passing an equivalent examination before the Civil Service Commissioners as University candidates. What is unsatisfactory to my mind is the very large number of commissions granted to Militia officers. But for this in 1879-80 there were two reasons—the first, that in previous years the number assigned to the Militia (120), under the system of nomination by colonels, had not been made up; and the second, that the vacancies in the Army were made abnormally large in those two years by the Afghan and Cape Wars. On the other hand, Sandhurst can only turn out a limited number of qualified cadets every year, so that the balance had to be made good from the Militia, and the substitution of competition among the whole of the subalterns of the Militia justified a larger number of appointments from this source. For the future, under the Army Re-organization arrangements which I have explained to the House, a smaller number of commissions by 50 will be granted annually, and even this reduced number will not be appointed after 1882, until gradually the Establishment has been brought down. The proportion given to Sandhurst—that is to say, to virtually open competition—will be much larger than in 1879-80.

## CENTRAL ASIA—CAPTAIN BUTLER'S MISSION.

MR. LABOUCHERE asked the Secretary of State for India, Whether, in the year 1877, Captain Butler, of the 9th Regiment, was secretly ordered by Lord Lytton, then Viceroy of India, to proceed to the Perso-Turkoman Frontier, with a view of surveying the Turkoman land from the Caspian Sea to Merv; whether he was directed by Lord Lytton and by Mr. Thornton (the then Indian Foreign Secretary) to arrange to be in a position to raise the Turkoman Tribes in case of a War with Russia; whether he was specially directed to conceal the object of his mission from all the home authorities, from Her Majesty's Minister at Teheran, and from the English officials at Meshed; whether a Report of Captain Butler, as to his proceedings in the Turkoman land, was sent by him to the Indian Foreign Office on his return from his mission; and, if so, whether there is any objection to lay the same upon the Table of the House; and, also, whether, considering that Captain Butler's health greatly suffered, owing to the hardships incurred during his mission, and that in consequence of this he was granted sick leave for eighteen months, and that his medical advisers inform him that, although still suffering from the effects of his arduous mission, his health will in all probability be completely restored should he be granted leave for a further six months, such additional leave will be granted to him, instead of his being placed on half-pay, owing to his present and temporary inability to perform active service in India?

THE MARQUESS OF HARTINGTON: Sir, according to Papers which I find on record at the India Office, it appears that in May, 1877, an offer from Captain Butler to proceed to Merv was accepted by the late Viceroy of India, not to "survey country from the Caspian Sea to Merv," but to

> "Gain information as to the state of affairs among the Merv Turkomans, and the geography and resources of the valley of the Murghab, without compromising Government,"

and some pecuniary assistance was given him for this object. These Papers do not contain any evidence that Captain Butler was directed to "arrange to be in a position to raise the Turkomans in case of a war with Russia;" but, on the contrary, directly refute any such idea. It appears that Captain Butler's mission was to be undertaken at his own risk and responsibility, and that he was to make his journey as an ordinary unofficial traveller. He was ordered not to go to Teheran, chiefly on account of representations from himself that if his presence in Persia, and the object of his mission were known, difficulties might be thrown in his way by the Persian authorities. Captain Butler submitted to the Indian authorities, through the Quartermaster General, a Report of his travels on the Northern Frontier of Persia. Official information received from other sources by the Government of India has thrown considerable doubt on the accuracy of Captain Butler's Report of his proceedings. The Report itself does not contain any information of a valuable character; and, if published, would have to be accompanied by a large mass of Correspondence which would serve no useful purpose; and I do not, therefore, think it necessary to lay it on the Table. As to the latter part of the hon. Member's Question, I can only say that the matter of additional leave to Captain Butler is one entirely for the consideration of the Field Marshal Commanding in Chief, in regard to which I see no ground for interference on the part of the Secretary of State for India.

## LUNATIC ASYLUMS (IRELAND)—LIMERICK ASYLUM—PAUPER LUNATICS.

Mr. O'SHAUGHNESSY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is not true that the rates of the City of Limerick have lately become charged with the maintenance in the Limerick Lunatic Asylum of several persons, not natives or inhabitants of the city, who, being prisoners in the Limerick District Prison, were transferred thence on account of mental derangement to the Limerick Lunatic Asylum, and several soldiers enlisted in the city, who, having become mentally deranged in the service, were transferred from Netley to the Limerick Lunatic Asylum; and, whether he will take into consideration the desirability of compelling the place in which a pauper lunatic, admitted to a lunatic asylum, shall have been usually resident, to contribute to his maintenance and treatment in such asylum?

Mr. W. E. FORSTER, in reply, said, the Inspector of Lunatic Asylums reported to him that two soldiers who had been confined in the Limerick District Prison, and who had become insane, were transferred to the Asylum for the county, in which they now remain. Only one soldier had been sent from Netley to the Limerick Asylum, and he was a native of the county. It would be very difficult to carry out what was recommended by a general rule; but, in individual cases, the matter might be arranged by the Inspector of Asylums, as was done in this case.

## STATE OF IRELAND—INFLAMMATORY PLACARDS—THE IRISH CONSTABULARY.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the following paragraph from the "Enniscorthy Guardian" of the 7th instant is correct:—

> "On Wednesday an affair took place in Enniscorthy which perhaps was the most unwarrantable stretch of authority ever attempted. In two or three places placards, a copy of which is given below, were posted on the walls. No sooner had these caught the eye of the vigilant constabulary than they at once tore them down. This was repeated twice:
>
> "'Wexfordmen! assemble in your thousands at the Court-house, Wexford, on Friday next, the 6th instant, at two o'clock, to witness landlordism degraded, to the collection of unjust rent through the sheriff, and to see the resources of Buckshot Forster liberally supplied for what he himself denounced as the enforcement of injustice. Contingents will attend from the various branches of the Land League. The land for the people. God save Ireland;'"

whether the police admitted they tore down the placards by order of the head constable; and, whether the Government sanction such proceedings; and, if not, what notice has been taken of the matter?

Mr. W. E. FORSTER: Yes; I understand that the placard in question was pulled down by special order of the head constable; and I think that the head constable acted perfectly right.

Mr. HEALY asked, under what statute the head constable had acted; and, whether anybody else tearing down placards would not have been liable to be prosecuted?

Mr. O'DONNELL asked, whether the reason why the right hon. Gentleman approved of the head constable's conduct was because the words "Buckshot Forster" appeared on the placard?

Mr. HEALY, after a short pause, asked, whether the right hon. Gentleman intended to reply?

Mr. W. E. FORSTER: Sir, it appears to be thought that it is a matter of necessity and duty that Gentlemen sitting on this (the Treasury) Bench should give a reply to every Question put to them. There is no necessity for that. A Question must be answered according to the way in which it is asked, and at the discretion of those to whom it is put. This Question is manifestly for the purpose of insult. There is no more reason why a person in my position should be called on to answer it than any other person. I only state that I am perfectly ready to meet any charge that may be brought against me with regard to those placards.

Mr. HEALY begged to move the adjournment of the House. ["Oh!"] As the right hon. Gentleman seemed to think he had put the Question to insult him, he only wished to disclaim any such intention. He must explain that his attention had been called by a resolution of the Land League branch to the matter, and he was asked to put the

Question in that House, and he had done so. He had put down a Question with regard to it, and, to make the Question clear, he had quoted the placard quite irrespective of the fact that it contained the words "Buckshot Forster." The question was not whether the right hon. Gentleman was bound to answer the Question, but whether he approved the conduct of the constables in pulling down the placard, and by what law or authority it was done. Force seemed now to be the only rule in Ireland, and the right hon. Gentleman who put that rule in force went down to Bradford, and thanked the people of Bradford for their kind reception of him in the name of the people of Ireland. The most comical thing was that while, as the right hon. and learned Gentleman the Member for Dublin University said, the Government had not the respect of a single man in Ireland, from Cape Clear to the Giant's Causeway, the Chief Secretary for Ireland went to his constituents and thanked them in the name of the Irish people. That placard incident was a sample of what was occurring every day in the country. Surprise was expressed at outrages being committed. His (Mr. Healy's) surprise was that many more were not committed. And he could tell the right hon. Gentleman that if he continued to support the police in arbitrary acts, he would find that ten times more outrages would occur, those outrages being the only resource which those unfortunate people had against high-handed proceedings.

MR. ALDERMAN W. LAWRENCE rose to Order. He asked Mr. Speaker, whether it was competent for a Representative from Ireland to threaten the Chief Secretary to the Lord Lieutenant that if he persisted in the course he was pursuing ten times more outrages would be committed in Ireland, and to say that that was the only resource against the rule of the right hon. Gentleman which would be left to the Irish people? He asked, also, whether the House was to listen to those threats, and incitements to the people of Ireland?

MR. SPEAKER: The course taken by the hon. Member for Wexford (Mr. Healy) is taken entirely on his own responsibility. I deplore the language which I have heard this evening, coming both from him and from the hon. Member for Dungarvan (Mr. O'Donnell). The hon. Member has also, on his own responsibility, moved the adjournment of the House, not being satisfied with the answer he received to a Question. As the House knows, I have very frequently pointed out the great inconvenience arising from Motions of this character — Motions of which, within the last few days, we have had three examples.

MR. HEALY said, he had not moved the adjournment of the House on account of dissatisfaction with an answer, but in order to protest against the statement that he had put a Question on the Paper for the purpose of insulting the Chief Secretary to the Lord Lieutenant of Ireland. Heaven knew that they had sufficient means of attacking the right hon. Gentleman without doing that! He was going on to say, when the hon. Member for the City of London (Mr. Alderman W. Lawrence) interrupted him, that if the people of Ireland had no means of protecting themselves against the unwarrantable aggression of the right hon. Gentleman and his armed forces in Ireland it would not be surprising if the outrages were multiplied. He would give an illustration, in something which had taken place on Saturday, of the high-handed conduct of the Executive in Ireland. Two evictions were made the other day, and 13 souls were left on the roadside, and one of the police who attended it was stated to have shed tears. That was very different from the behaviour of the police, whose conduct in the county of Wexford the right hon. Gentleman justified. There had not been a single agrarian outrage in Wexford for a considerable time past; and yet in spite of that the right hon. Gentleman allowed the police to insult the people by tearing down their placards, which were put up in the most legal manner. If illegal, had not the right hon. Gentleman plenty of power under the Protection of Person and Property Act? A hundred people had already been arrested under that Act on the most frivolous and absurd charges; and as anybody could be arrested on "reasonable suspicion" of posting the placards, the Government could not plead that they were without sufficient power.

MR. O'DONNELL said, he felt obliged formally to second the Motion, for the simple reason that when he asked that Question of the right hon. Gentleman, he did it deliberately, for the purpose of obtaining an expression of opinion whether it was the use of insulting epithets to him on the placard that caused him to have them taken down. The fact that the right hon. Gentleman was popularly known in Ireland by epithets not complimentary was by no means without precedent in Ireland. There was a former Chief Secretary who was known as "Orange Peel;" and if that Chief Secretary had approved of the tearing down of placards, because he was alluded to in that way, it would have been legitimate for the Irish Members of that day to call attention to the pettiness of motive which such conduct revealed. Looking at this placard he saw nothing objectionable in it, except the reference to the right hon. Gentleman the Chief Secretary; and although words personally disrespectful to the right hon. Gentleman had been used in the placard, that was not a reason why he should authorize the police to interfere with and obliterate the expression of opinion on the part of the people. If the appearance in public prints of opprobrious epithets towards Members of the House was to be a ground for the suppression of those Papers, they would soon have a very considerable diminution in the journalistic literature of Great Britain. He was still under the impression that if the right hon. Gentleman had been referred to in this placard more in conformity with his own account of himself to his constituents at Bradford, there would have been no interference by the right hon. Gentleman's police auxiliaries. The placard called on the people to make a silent protest against what they all thought most condemnable; and if they had not referred to the right hon. Gentleman in Parliamentary language, however privately he (Mr. O'Donnell) might object to the use of un-Parliamentary language, he had a perfect right, with all respect to the opinion of the right hon. Gentleman about himself, to inquire whether it was merely the personal insult to himself that led him to authorize the Irish constables to do that which English constables would not be permitted to do; and, if necessary, he could quote a great number of cases. The right hon. Gentleman might be a little more tolerant of even these heated expressions on the part of isolated individuals of the Irish nation, considering that he himself set the example of calling names. The right hon. Gentleman had denounced a whole class of most respectable men as village ruffians—[VOICES: Dissolute ruffians!]—that was the language he applied to respectable traders, Poor Law Guardians, and similar respectable members of society, and it was on this class that he vented his disappointment, under the Coercion Act, for his failure in Ireland.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Healy.*)

MR. W. E. FORSTER (who rose amid cries of "No, no!" from the Ministerial Benches, and "Agreed!" from the Opposition Benches above the Gangway) said: I will detain the House for only a few minutes. As far as regards this House and myself, I feel it would not be necessary for me to say a word. But I will just state that when I alluded to insult, I was referring, not to the Question of the hon. Member for Wexford (Mr. Healy), but to the Question of the hon. Member for Dungarvan (Mr. O'Donnell), and I am of opinion I was justified in using that word. I understood that these placards were pulled down, not on account of the use of the particular words referred to, but for a perfectly justifiable reason—that they were summoning persons to come together in thousands on a particular day to interfere with the legal act of a sheriff in connection with an auction. I think that that was abundant reason, and I think it was sufficient reason for prosecuting anyone who put them up, or instigated others to put them up, if they could have been discovered. The hon. Member for Dungarvan chooses to say that I applied the term village ruffians—[A VOICE: Dissolute ruffians!]—to a large class of respectable persons in Ireland. I think it will be in the recollection of the House that I applied it only to those persons who committed outrages, or instigated others to commit them.

MR. MACARTNEY said, he wished to enter his protest against it being supposed that the prefix "Orange," as applied to Peel, was an opprobrious epithet. It was a compliment rather than an insult.

MR. BARRY said, the question was a very narrow one. If the police had acted legally in pulling down the placards, he should like to know under what statute they acted; and, if they had acted illegally, why was their conduct approved? The Constabulary, no matter how they outraged public feeling in Ireland, were sure of a defender in the right hon. Gentleman. He thought, considering that the county of Wexford was entirely free from agrarian crime, that there was not even a threatening letter, it was an extraordinary thing to defend this outrageous conduct of the Constabulary. All he would say was that conduct like this could lead only to results such as the hon. Gentleman (Mr. Healy) had indicated.

MR. A. M. SULLIVAN said, he must express his regret that any language or epithet should have been used calculated to insult the Chief Secretary for Ireland, or any Minister of the Crown. Having said that, he would remind the House that buckshot for shooting down the Irish people had been introduced by the Predecessor of the right hon. Gentleman. As to the placards, was it not for the interest of the landlord that the people should attend the sale? He desired to know whether the police were to be allowed to tear down a placard calling upon people to attend a public auction; or whether it was intended by the Government that public auctions in Ireland should be conducted in the presence of the auctioneer and the man in charge of the cattle? [*Laughter.*] Hon. Gentlemen might laugh at the bare idea of an auction being conducted in a secret manner; but he (Mr. A. M. Sullivan) did not sympathize in their sentiments by any means. He knew that they would not care to have auctions in which they were pecuniarily interested conducted in such a manner. Perhaps the Chief Secretary for Ireland, or the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law), would tell them whether the police tore down the placards illegally; or whether there was a statute empowering them to do so. If they had the statute behind them, let the House hear where it was to be found. He believed, although he did not think the Chief Secretary for Ireland had acted under the impression, that the placard was torn down on account of the sentence reflecting upon himself. The reference to the right hon. Gentleman was most offensive and unjust; but, while he could sympathize with the natural feeling of irritation on the part of the Chief Secretary for Ireland at being identified with a certain class of ammunition, he told him to beware how he encouraged the Irish police in their lawlessness in tearing down placards.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the question had been asked more than once, under what statute the police tore down the placard. It was torn down because it was an inflammatory placard, asking the people to assemble in their thousands, not to attend and bid at the auction, but to witness "landlordism discredited" in its attempt to enforce an unjust rent by execution of a writ from a Superior Court; and, in effect, for the purpose of obstructing the sheriff in the discharge of his lawful duty. As such, the police had a right to tear it down, not under any statute, but in accordance with what was much more important—namely, the Common Law of the land. [A VOICE: What statute?] The placard was illegal at Common Law; and, in his humble opinion, the police were perfectly justified in removing it. He hoped that after that explanation this irregular discussion might cease.

SIR RAINALD KNIGHTLEY rose to call the attention of the House to the repeated Motions which were made for the adjournment of the House. He did not wish to see that privilege abolished; but he should like to see it regulated; and he rose to call the attention of the hon. Member for Swansea (Mr. Dillwyn), who had a Motion on the Business of the House on the Paper for to-morrow. He should like to ask the hon. Member——

MR. PARNELL rose to Order. He said, as far as he could gather from the remarks of the hon. Baronet, he was discussing a Motion which now stood on the Paper. He desired to know, whether the hon. Baronet was in Order in discussing, upon the Motion for the adjournment of the House, a Motion which stood on the Paper?

MR. SPEAKER: So far as the hon. Baronet may have been discussing a Motion on the Paper for consideration to-morrow, he was not in Order.

MR. ARTHUR O'CONNOR said, he entirely agreed with the hon. Baronet. That power of moving the adjournment ought not to be abolished. If wisely preserved, it enabled Members to bring forward matters with which they could not otherwise deal. He was anxious to bring before the House a matter similar to that which had been raised by his hon. Friend. It was only on Saturday night last that three men, whom he knew to be perfectly incapable of crime, were arrested in Queen's County. [" Question ! "]

Mr. MACARTNEY rose to Order, and asked, whether the hon. Member could refer to matters totally foreign to the subject before the House?

Mr. ARTHUR O'CONNOR, resuming, said, he wished to show why the House should adjourn. He held that there were some things even more important than the Land Bill. The rights of property were secondary to the rights of personal liberty and security. The right of personal security was entirely suspended in Ireland, and the powers which the Lord Lieutenant and the Chief Secretary for Ireland had vested in them were being used in the most wanton and unjustifiable manner. The three men referred to who had been arrested within the last 72 hours were perfectly incapable of crime. They were men with a character as good as that of anyone on the Ministerial Bench. They enjoyed the respect of all who knew them, and the only offence they had committed had been an offence against the landlords of the Queen's County. Those landlords monopolized the magistracy. They held every post of influence, and they had on their side a law which the Prime Minister and the Chief Secretary for Ireland admitted to be unjust. These three men in question were some time ago charged with having intimidated a certain individual in Maryborough. They were found guilty, and the magistrates sentenced them to two months' imprisonment in default of paying a fine. They appealed to the County Court Judge, and the decision was reversed, the man who was alleged to be intimidated swearing that he was not intimidated at all. The magistrates, however, had informations sworn against them, and the three men were arrested recently upon a charge of intimidation which was never committed at all. He thought the right hon. Gentleman ought to make some statement with regard to the reason why these men were arrested at 2 o'clock in the morning and lodged in gaol, without having been proved to be guilty of any offence whatever.

Mr. PARNELL said, that the Government might have avoided the unpleasantness which had taken place during the discussion, if they had adopted in the beginning the course which they had since followed as to the supplementary Question of the hon. Member for Wexford (Mr. Healy) with respect to the statute under which the Government had acted in tearing down the placards. The Chief Secretary for Ireland, instead of doing so, however, had immediately risen and, with a great show of indignation, said that he did not consider it his duty to answer insulting Questions. There was nothing insulting in the Question. The right hon. Gentleman had given no reply, and did not draw any distinction whatever between the two Questions when he refused to answer either. If the right hon. Gentleman had followed the course which he (Mr. Parnell) had pointed out, or if the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law), acting for him, had given the information required of the Government, and informed the House that the action had taken place under the Common Law of Ireland and not under Statute Law, all reasonable grounds for his hon. Friend's moving the adjournment of the House would have been taken away, and the discussion might have been avoided. He also wished to say that in such circumstances Irish Members had no other course left them than that which they had adopted. It was very difficult for them to obtain any time for bringing those things to the attention of the House, or to obtain any information which they required. He himself had been endeavouring to obtain some information with regard to the offences alleged to have been committed by the persons arrested under the Coercion Act in Ireland, and thrown into prison by the right hon. Gentleman. He had, however, been unable to obtain any opportunity to move a Resolution on the subject, owing to the way in which the Business was blocked. He hoped the House would be good enough to recollect that they had placed Ireland in an exceptional position, and had given the Government exceptional powers over both the liberties and the property of the people of Ireland. They must, therefore, expect that Irish Members, when they found that those powers were used, would take a course which was undoubtedly exceptional, and undoubtedly inconvenient.

Motion, by leave, *withdrawn.*

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—TREATMENT OF PRISONERS UNDER THE ACT IN LIMERICK GAOL.

MR. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the complaints of the political prisoners detained in Limerick Gaol, contained in the "Cork Examiner" of the 10th instant, as follows:—

> "Mr. Hodnett said the governor was most hostile towards him, and on this morning (May 9), without any reason being assigned, he was detained in his cell until ten o'clock, whereas he should have been permitted to quit the apartment at eight o'clock for breakfast. Mr. Hodnett said his apartment was the ordinary convict cell, twelve feet by six, with defective ventilation. The window was inclined slightly inwards, with an aperture of six inches to admit fresh air. He hoped that, if the prison authorities insisted on keeping the prisoners in those cells, a freer passage would be provided. Eighteen hours' detention in such cells rendered the want of pure air the more disagreeable. More suitable apartments were available for the accommodation of the political prisoners, and, as a promise had been made by the Government to provide them with the best rooms in the prison, detention, not punishment, being the object, they hoped the promise would be fulfilled. All the prisoners complained specially of the number of hours for recreation and the distribution of those hours. The total number of hours was six, four of these being in the exercise yard, and two in friendly intercourse. There was no exercise before breakfast, it was confined to the middle portion of the day. Mr. Hodnett having been in the habit of rising at six considered it a cruelty, and the other prisoners shared the same opinion at being deprived of the poor privilege of sauntering in the yard before breakfast. The doors had hitherto been locked after five o'clock in the evening;"

and, whether the Government will take any action in the matter?

MR. W. E. FORSTER, in reply, said, that he had received a Report from the Inspector General of the Prisons Board, stating that he had seen the prisoners confined in Limerick Gaol, and in reply to his inquiry whether they had any complaint to make, they answered in the negative, excepting the prisoner Hodnett, who made a complaint with regard to the hours of exercise. The special rules required that prisoners should be allowed four hours' daily exercise—two before dinner and two after dinner—subject to the limitation that the Governor, who was responsible for the management and discipline of the prison, should fix the hours. He did not, therefore, think it reasonable that the prisoner Hodnett should be allowed to commence exercise at 6 o'clock in the morning. With regard to the ventilation, the medical officer pronounced the cells amply sufficient for all purposes, both as regarded space and ventilation.

## HIGH COURT OF CHANCERY (IRELAND) —CASE OF "KAVANAGH MINORS."

MR. REDMOND asked Mr. Attorney General for Ireland, If his attention has been called to the case of "Kavanagh Minors" in the High Court of Chancery in Ireland; whether it is a fact that the children in question, aged respectively 7, 5, and 4 years, were forcibly taken from their mother by the relatives of her deceased husband, and that on the 21st of December 1878 the Lord Chancellor appointed a guardian of the fortunes of the children, and ordered him to institute an action for the administration of the estate of their father, and further ordered that the matter of the custody of the children should be proceeded with concurrently in the Court of the Vice Chancellor; whether it is a fact that such matter respecting the custody of the children has never been proceeded with, and that, in consequence, the mother has been deprived of the custody of her children, not from any fault of her's, but because she is unable to incur the expense of repeated applications to the Court to compel the order of the Lord Chancellor to be complied with; and, whether he can take any steps to ensure that the mother shall be no longer deprived of the custody of her children to which she is by law entitled?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): The hon. Member must be aware that I have no special means of ascertaining whether the facts of the case referred to are as stated in the Question; and, even assuming the facts to be as they are stated, I must remind him that I have no means or power whatever of interfering in the matter.

### PEACE PRESERVATION (IRELAND) ACT, 1881—TYRONE.

MR. MACARTNEY asked the Chief Secretary to the Lord Lieutenant of Ireland, What are the reasons which have induced Her Majesty's Government to place the baronies of Upper and Middle Dungannon, in the county of Tyrone, under the provisions of the Peace Preservation Act?

MR. LITTON also asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state the grounds upon which the baronies of Lower and Middle Dungannon, in the county of Tyrone, have been proclaimed, those baronies forming one of the most peaceable districts in Ireland, and being eminently free from agrarian crime; and, whether he will be good enough to reconsider the propriety of the step so taken?

MR. W. E. FORSTER: Sir, the Peace Preservation Act was put in force as far as the carrying of arms is concerned, and only as regards the carrying of arms, in the baronies of Upper and Middle Dungannon, and not in the barony of Lower Dungannon. These baronies were proclaimed, not on account of agrarian crime; but I must remind the hon. Member that to prevent agrarian crime was not the sole object of the Peace Preservation Act, and that, in many cases, many lamentable occurrences have resulted from the carrying of arms in the North of Ireland. All the principal localities in the County Tyrone where Party disturbances have taken place are in the baronies referred to.

### AFRICA (WEST COAST)—THE ASHANTEE WAR.

MR. SUMMERS asked the Under Secretary of State for the Colonies, Whether he is in a position to lay upon the Table of the House Copies of Papers relating to the Ashantee "scare" at the Gold Coast, and to include in those Papers a Copy of the Instructions under which Sir Samuel Rowe is acting?

MR. GRANT DUFF: Sir, I will read the latest news from the Gold Coast with respect to what the hon. Member describes as "the Ashantee scare." It was received yesterday. Sir Samuel Rowe telegraphs—

"Ashantee Prince delivered his message 29th April. King begs for peace; kneels before Her Majesty. Offers 2,000 ounces of gold, not as payment of expenses, but as sign of sincerity—small part only here, more believed to be on the way. Replied that I should answer after due consideration. Progress most satisfactory."

This looks as if we might soon be able to say that matters had returned to their normal state. When we are able to do so with perfect confidence, I shall lay Papers on the Table, including the Governor's Instructions.

### SOUTH AFRICA—THE BASUTO WAR—FRENCH MISSIONARIES.

MR. SUMMERS asked the Under Secretary of State for the Colonies, Whether Mr. Sprigg's Ministry refused permission to a French missionary (the Rev. H. Dieterlen) to pass through the lines of the Colonial forces with medicines and ambulance materials for the use of the Basuto wounded, such permission being refused on the ground that "the Government did not feel justified in affording facilities for the prosecution of rebellion;" and, whether any communications have taken place upon the subject between Her Majesty's Government and the late Government at the Cape?

MR. GRANT DUFF: Sir, we have had no correspondence with the Government of the Cape regarding this matter, and, indeed, have heard nothing about it. We had some correspondence with a French Missionary Society, which is printed at page 108 of the South African Papers, 2,821.

### ARMY—PROMOTION FROM THE RANKS.

MAJOR NOLAN asked the Secretary of State for War, What number of first Commissions, exclusive of those of Riding Master and Quartermaster, are annually granted to soldiers who have served in the ranks, and what number to gentlemen who have not passed through the ranks; and, if he intends to take measures to increase the proportion granted to the former class?

MR. CHILDERS: Sir, the rule between 1871 and 1880 was that five commissions might be annually granted to non-commissioned officers, excluding those promoted as quartermasters, riding masters, and officers of the Coast Brigade of Artillery; but, as a matter of fact, rather more than six have been granted in consequence of special cases having been sanctioned by the Secretary of State. I raised last year the fixed number for the line from five to ten a-year. The total number of other commissions granted of late has averaged 393 yearly; but under the new plan of organization it will be normally about 50 less. I do not propose, without further experience, to make a second addition to the number of promotions from the ranks.

## ARMY ORGANIZATION—COMPULSORY RETIREMENT OF COLONELS.

MAJOR NOLAN asked the Secretary of State for War, If, under the new Warrant to be issued on the 1st July, Colonels of fifty-eight years of age will be allowed to complete their service in those situations to which they have been appointed for five years, or if they will be compulsorily retired on pensions before the completion of the five years term from the command of Depôt Centres and other equivalent positions; if the latter is the case, will he inform the House what is the additional expense which will be entailed on the Exchequer by such compulsory retirements, and if any compensating saving will be effected; and, what will be the gross loss incurred by the officers who would be thus compulsorily retired before the completion of their five years' term?

MR. CHILDERS: Sir, in reply to the hon. and gallant Gentleman, I have to say that if he will wait a few days he will find that I have determined somewhat to relax the rigid rule proposed on this subject in the Memorandum. It would be impossible, without very elaborate calculations, to assign to this part of the proposed changes the exact cost, the total of which is provided in the Estimates for the whole scheme now before the House.

## MADAGASCAR—THE NEW TREATY—IMPORTATION OF RUM FROM THE MAURITIUS.

MR. CROPPER asked the Under Secretary of State for Foreign Affairs, Whether it is the fact that the Government of Madagascar are prepared to conclude a new Treaty with England as soon as possible; and, if so, whether Her Majesty's Government will consider the expediency of enabling the Government of Madagascar to control the unrestricted importation of Mauritius rum into the Island?

SIR CHARLES W. DILKE: Sir, the revision of the Treaty of 1865 between Great Britain and Madagascar is under the consideration of Her Majesty's Government, and communications on the subject are taking place with the Hova Government, who propose to increase the duty of 10 per cent now levied on Colonial rum.

## WESTMINSTER ABBEY—FEES ON MONUMENTS.

MR. MACDONALD asked the Financial Secretary to the Treasury, Whether it is true, as stated in the public journals, that the fees paid to the Dean and Chapter of Westminster Abbey for permission to erect a Monument therein to the late Earl of Beaconsfield will amount to about £400; and, if so, whether these fees will be the private emolument of the Dean and of the members of the Chapter, or for what purpose?

LORD FREDERICK CAVENDISH: Sir, I am obliged to my hon. Friend for asking me this Question, and thus enabling me to remove an entirely erroneous misconception upon the subject. In answer to an inquiry which I have made into the statement quoted by my hon. Friend, I have been informed that there are no fees whatever paid to the Dean and Chapter for monuments erected at the public expense. Any fees for private monuments are expended entirely on the support of the fabric, and no portion whatever goes to the private emolument of the Dean or of any member of the Chapter.

MR. MACDONALD gave Notice that on Thursday he would put another Question to the noble Lord upon the same subject.

## LAW AND JUSTICE (IRELAND)—COUNTY COURT JURISDICTION.

MR. BIGGAR asked Mr. Attorney General for Ireland, If he is aware that the county court judge of Antrim exercises criminal and civil jurisdiction within the borough of Belfast, which borough has a separate jurisdiction, with a recorder, court, and officers, and is such jurisdiction by the county court judge according to the statute; and, if so, is it desirable to continue a dual jurisdiction in Belfast?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, the County Court Judge and Chairman of Quarter Sessions of the county of Antrim is also Recorder of the borough of Belfast, which includes part of that county as well as part of the County Down, and as such he exercises criminal and civil jurisdiction within the borough. This is quite in accordance with the law, and is, in fact, required by the County Officers and Courts Act of 1877.

Mr. BIGGAR asked Mr. Attorney General for Ireland, If it is the fact that the county court judge and justices of Antrim hold the annual licensing quarter sessions for the district of Belfast about the middle of November, over one month after the licences expire; and that last year it was necessary for applicants for transfers and confirmations of licences to apply to His Excellency the Lord Lieutenant of Ireland for authority to carry on trading in the interregnum; and, whether it is possible to provide for the holding of annual licensing courts at such times as will obviate difficulties of a similar character?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, the annual licensing quarter sessions for the Belfast division of the County of Antrim were last year held on the 1st of November, and are this year fixed for the 31st of October. I am not aware of its having been found necessary last year to make any such applications to the Lord Lieutenant as are mentioned in the Question. Though licences expire before the middle of October, and, therefore, before the licensing quarter sessions are held in most parts of Ireland, ample opportunity is afforded for obtaining renewals and provisional transfers before that day, by application to the justices at petty sessions, or at ordinary quarter sessions, such transfers holding good until whatever time the licensing quarter sessions are held. There is thus no inconvenience or difficulty caused, nor is any change of the system required.

## FOREIGN JEWS IN RUSSIA—EXPULSION OF A NATURALIZED BRITISH SUBJECT.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether any steps will be taken by Her Majesty's Government with regard to the case of Mr. L. Lewisohn, a highly respectable London merchant, who, though provided with a British passport, duly viséd by the Russian Consul General in London, was expelled from St. Petersburg, to which place he had proceeded on business in September last, on the ground that he was a Jew; whether it is not true that no cause of complaint, political or otherwise, was alleged against him; and, whether, with reference to Lord Tenterden's letter to Mr. Lewisohn of the 2nd ultimo, informing him that the Russian authorities decline to permit him to revisit Russia, it is the intention of Her Majesty's Government to withdraw their protection from British subjects abroad who may belong to the Jewish faith?

Sir CHARLES W. DILKE: Sir, Mr. Lewisohn, a naturalized British subject and the bearer of a Foreign Office passport, wrote on the 26th of November, to complain that on account of his being a Jew he had been required to leave St. Petersburg at 24 hours' notice. Her Majesty's Chargé d'Affaires, who was instructed to furnish a Report on the subject, stated that the notice was in accordance with Russian law, and that other foreign Representatives had at various times remonstrated unsuccessfully against similar treatment of subjects of their Governments. Notwithstanding the personal application of Lord Dufferin, the Russian authorities have declined to modify their decision in Mr. Lewisohn's case. There is no ground for the inquiry made in the last paragraph of the hon. Member's Question, which I have read with much regret.

Baron HENRY DE WORMS asked, whether no British subject of the Jewish faith could remain in Russia?

Sir CHARLES W. DILKE: I believe, Sir, that no foreign Jews are allowed to remain in St. Petersburg.

Baron HENRY DE WORMS said, that he would take an early opportunity of bringing the matter before the House and moving a Resolution. He would also ask, Whether Her Majesty's Government have made any representations to the Government at St. Petersburg with regard to the atrocious outrages committed upon the Jewish population in Southern Russia; and, whether they contemplate taking similar steps in the matter to those which were adopted by the late Government in the case of the Jewish massacres in Roumania, and the atrocities of the Bashi-Bazouks in Bulgaria?

Sir CHARLES W. DILKE: Sir, Her Majesty's Government have not addressed representations to the Russian Government with regard to the outrages on Jews and students in Southern Russia; but that Government has already of themselves taken steps to quell these disorders. I may add that the cases of the Roumanian massacres and the atrocities in Bulgaria are not parallel with the disturbances in Russia; as in one case the remonstrances of Her Majesty's Government were directed against the laws in force respecting the Jews, and in the other against the conduct of troops employed by the Porte itself.

Baron HENRY DE WORMS wished to know, whether it was not the duty of Her Majesty's Government as a civilized Government to remonstrate against the atrocities to which he had drawn attention? Remonstrances had been addressed to the Roumanian Government in similar circumstances.

Sir CHARLES W. DILKE explained that in the case of Roumania the protest was made in conjunction with other Powers. The Government had received no invitation from foreign Governments to interfere in the present question.

## ARMY—AUXILIARY FORCES—VOLUNTEER SURGEONS.

Mr. DONALDSON-HUDSON asked the Secretary of State for War, Whether Her Majesty's Government will accord to Volunteer Battalion Surgeons, after twelve years' service, the rank and title of Surgeon Major, as in the case of Militia Battalion Surgeons; and, whether they will give to them, under the Memorandum showing the principal changes in Army Organization, &c., intended to take effect from 1st July 1881, the same privileges upon retirement, after fifteen years' service, as to other officers of the Auxiliary Forces?

Mr. CHILDERS: Sir, in reply to the hon. Member, I have to state that Volunteer surgeons will be on the same footing as Militia surgeons not on the Departmental list—that is to say, they will, after 20 years' service, receive a step of honorary rank, or on retirement, if duly recommended for it. Volunteer surgeons will, after 15 years' service, be entitled to retain their rank.

## WAR OFFICE—STUDY OF FRENCH.

Sir HENRY HOLLAND asked the Secretary of State for War, Whether it is the case that some correspondence has taken place between the War Office and the Head Masters of Public Schools on the subject of greater prominence being given to the study of French, and especially to a colloquial facility in that language; and, if so, whether there will be any objection to lay the Papers upon the Table?

Mr. CHILDERS: Yes, Sir. We made proposals a short time ago to the public schools on this subject, in consequence of the unfortunate deficiency in knowledge of French and German on the part of candidates for commissions. I will lay on the Table, if my hon. Friend will move for it, a copy of our letter to the Chairman of the Conference.

## STATE OF IRELAND—COUNTY OF ROSCOMMON.

Mr. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, On what grounds an iron police hut has been erected at Kilgefin, county Roscommon; whether there are not three police barracks within a short distance of the iron hut; and, whether there is any one living near the hut requiring special protection?

Mr. W. E. FORSTER: Sir, a hut has been erected at the place referred to in the Question. There are, it is true, two police barracks at a distance of three and a-half, and one seven miles from this hut; but there are persons living near requiring special protection, which is one of the reasons that have led to the determination to erect the hut.

## STATE OF IRELAND—ALLEGED RIOT AT BALTINGLASS.

Mr. M'COAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state to the House the Report received from the Irish Police authorities respecting an alleged riot at Baltinglass on Thursday last, in which, according to the Dublin correspondence of the "Times" of Saturday, many Protestant houses were wrecked, and other serious outrages committed?

Mr. W. E. FORSTER, in reply, said, he found what was but the drunken freak of a single individual had been greatly exaggerated in the correspondence in a newspaper. He might add that on the 3rd instant, the day before the occurrence, the constable who had charge of the police reported that the town was in a peaceable and orderly condition.

## SOUTH AFRICA—THE BASUTOS (THE NEGOTIATIONS).

Mr. W. FOWLER asked the Under Secretary of State for the Colonies, What further information, if any, has been received by the Government as to the present state of the negotiations now pending between the Cape Government and the Basutos?

Mr. GRANT DUFF: Sir, the news from Basutoland is conflicting; but here is the latest telegram, received on Saturday evening from Sir Hercules Robinson—

> "14th.—General Clarke telegraphs on 12th:—'Have fairly reliable information that Basutos were to have held large meeting yesterday (11th) at Letsea's, to consider terms of Governor's award. Lerothodi and another inclined to accept, many others very doubtful.'"

## PUBLIC HEALTH—CEMENT MANUFACTURES.

Mr. WARTON asked the President of the Local Government Board, Whether he can state the number of workpeople employed by cement manufacturers in England; and, whether any complaints have been received by the Local Government Board from inhabitants of parishes where cement works are carried on?

Mr. DODSON: Sir, I have no information as to the number of workpeople employed in cement works in England; but as far as I have been able to ascertain, there are altogether between 100 and 150 of such works. The Local Government Board have not, so far as I am aware, received any formal complaints from sanitary authorities where these works are carried on; but complaints were made by residents before the Royal Commission, and the Board themselves have received complaints of the injurious effects of these works from persons affected by them, and notably from the pilots and others interested in the traffic of the River Thames.

*Mr. W. E. Forster*

## FRANCE AND TUNIS (THE TREATY).

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government can recognize any Treaty made with France by the Bey of Tunis, under the pressure of the superior force which has been brought against him, and in contravention of the Firman of 1871, which forbids the Bey, as the Governor of "an integral part of the Ottoman Empire," to make Treaties with any foreign Powers, which Firman Her Majesty's Government have stated they have fully recognized?

Sir CHARLES W. DILKE: Sir, I have already promised that the Papers shall be immediately laid before Parliament; and meanwhile, it will, perhaps, be the more convenient course to defer the discussion of particular points until the whole case is seen.

Mr. MONTAGUE GUEST said, that after the unsatisfactory answer just given, and considering the importance of the matter, he felt obliged, though with deep regret, to move the adjournment of the House. He felt that that was the only moment at which the question could be raised by a private Member. The subject required the grave and immediate attention of the House. In contravention of assurances which the Under Secretary of State for Foreign Affairs said he had received from the French Government, that there was no intention to annex any territory in Tunis, the French Forces, 30,000 or 40,000 strong, had marched into a friendly country, and the French Fleet had been sent to take possession of the important position of Bizerta. This country had received a Circular from M. St. Hilaire, and if he (Mr. Guest) were to read a few extracts from it, the House would be astonished at the way in which Her Majesty's Government had been hoodwinked. In that Circular M. St. Hilaire said—

> "We are ready, as soon as good relations are resumed, to engage in a host of other not less beneficial enterprizes—lighthouses on the coast, inland roads to connect many populous and prosperous towns with each other, vast irrigations in a country where there is no lack of rivers, but where they are not better turned to account than the forests; the working of abundant mines of every kind of metal; an improved cultivation of lands acquired by Europeans in the regency, or even of the lands of the natives; the employment of the hot springs, which the Romans discovered and used. Tunis is, in general, very

fertile, as the prodigious wealth of ancient Carthage sufficiently shows. Under the protection of France all the natural gifts of that country can be developed afresh, with all the energy and intensity of modern methods and practices. We may add that, if the Bey will trust us, the internal administration may receive not less necessary and certain improvements. . . . It is not France alone that would profit by all this progress, which the Regency may acquire if it wishes. All civilized nations would benefit by it, and there is nothing to prevent us from doing to Tunis, without conquest or fighting, what we are doing in Algeria, and what England is doing in India."

Now, he would ask the House whether the French Government, after what he had just read, were justified in saying that they did not mean to annex any territory? He should, moreover, like to know whether, considering its position, this country had no interest in the question whether Tunis was or was not to be an independent State? ["No, no!"] To those hon. Members behind him who cried "No!" he would only reply that there were in the Regency of Tunis 10,000 British subjects, while the Italians numbered 15,000, and the French only 1,000, and that Tunis was situated at the entrance of the channel leading to Malta, cutting off the whole Eastern Mediterranean, and commanding the passage by which all traffic must pass to Syria, Egypt, the Black Sea, Turkey, and the Adriatic. To those who wished to enter the Black Sea, the Adriatic, or were going to the East, was it, he should like to know, a matter of no importance that a great nation like France should place herself so as to command such a channel? What would be the consequence of her having done so in time of war? At the first threatening of war with France insurances would at once go up, and the whole carrying trade would be transferred from British ships to those of other neutral nations. Then traffic would be handed over from our vessels to those of other nations. Then he would ask the House to consider for a moment the position of Bizerta itself. His hon. Friend the Under Secretary of State for Foreign Affairs had informed him the other evening, in answer to a Question which he had put to him, that he was aware of its importance, though he certainly would have imagined that he was not, for he said that without the expenditure of a large sum of money it was almost impossible that it could be used as a harbour. He (Mr. Guest) would, however, refer hon. Members to a letter which appeared in *The Times* newspaper that morning from Admiral Spratt, in which he stated on his professional authority that for a sum of less than £250,000 all obstruction could be removed from the channel, and that Bizerta could be made at once a most important harbour. Moreover, in taking the position of Bizerta into account, it should not, he might add, be forgotten that it was the only commanding port in North Africa. When the present state of affairs was duly considered, it was only right that the House should bear in mind that in 1871 a Firman had been granted by the Sultan to the Bey of Tunis. The substance of that Firman was—

"1. That the Regency of Tunis shall form, as heretofore, an integral part of the Ottoman dominions. 2. That the Beys on their accession shall apply for and receive their investiture from the Sultan, their suzerain. 3. That the *Hutba* (Friday's prayer) shall be, as heretofore, said in the name of the Sultan [this shows the Sultan's spiritual supremacy]. 4. That the money shall be coined in his name [this shows the Sultan's administrative supremacy]. 5. That, in lieu of tribute, Tunis shall furnish a contingent of troops in case of war. 6. That, although the Bey might make Commercial Treaties with foreign Powers, he was entirely debarred from entering into political Treaties with them, or from yielding or ceding to them any part of Tunisian territory."

Now, having had it on good authority, he was, he believed, correct in saying that the Government of England had expressed their satisfaction to the Bey at that Firman having been granted, and that the Governments of Austria, Russia, and Germany had congratulated the Bey on the occasion. It was only the other day that he had put a Question to the Under Secretary of State for Foreign Affairs on the subject, and he had been informed in reply that the French did not recognize the Firman. He would, however, refer hon. Members to the Circular which had been addressed by the Sultan to the Ministers of Foreign Powers, in which it was shown most distinctly that so late as 1863 this suzerainty over Tunis was acknowledged by the French. When had they, he would ask, ceased to recognize it? There was not the slightest doubt that the authority of the Sultan over Tunis had existed for a great many years, and that it had been acknowledged by Her Majesty's Government. Again, France had declared that Tunis was independent, and was perfectly able to make this Treaty with them; but if Tunis was independent in 1881, she was equally independent in 1871, and able to make the arrangement she had made with the Porte by the Firman of that year. What was the position of the Bey at the present moment? France had annexed the country, and he should like to know, in the event of any question arising between this country and Tunis not of a commercial nature, whether the Government would pay attention to the Firman of 1871, the authority of which they said they recognized, or to the Treaty which had just been concluded with France? For his own part, notwithstanding the high-handed proceedings of the French in overrunning a friendly country, he hoped the Government would stick to the Firman of 1871. He was aware that it was said that Lord Salisbury had made an arrangement with France in 1878. He would ask, however, what power Lord Salisbury had, after the Berlin Treaty, to make such an arrangement? Lord Salisbury had, he believed, denied that he had made any such arrangement as that attributed to him. ["Oh, oh!"] He was willing to abstain from going into the question whether Lord Salisbury had or had not made such an arrangement, because it was probable that the House would hear some authoritative statement on the point before the discussion closed. For his own part, he thought it was impossible that an English Minister could have agreed to hand over to the Government of France any portion of the Ottoman Empire. In any case, however, it had been thrown in the teeth of the Liberal Party that, in everything they had done since they had come into power, they had attempted to reverse the policy of their Predecessors in Office; and even assuming that Lord Salisbury had made the arrangement attributed to him, was it to be contended that on this question alone the present Government were bound to abide by and carry into effect the policy of their Predecessors? In his opinion, Her Majesty's Government were bound to protest against this high-handed—he was almost going to say this outrageous—attack which had been made by France upon Tunis. They had marched into a friendly country a force of some 30,000 or 40,000 men, and had taken possession of one of the most important ports on the Mediterranean, and had forced the unfortunate Bey of Tunis to sign a Treaty at the point of the bayonet. He recommended the Government to join Italy in making a most determined protest against the course that had been taken. He apologized to the House for having occupied so much of their time on this occasion; but he felt that the subject was one on which that House and this country should speak out, in order that the public of Europe might know what their feelings were in reference to it, and that France—with whom we were on the most friendly terms—should be made aware without delay that her proceedings in this matter did not commend themselves to us. The fact was that, led on by Germany and Prince Bismarck, France had fallen into a trap, although she was, for the moment, as proud as if she were marching on Berlin. He begged, in conclusion, to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Montague Guest.*)

MR. GLADSTONE: Sir, it is not for me to animadvert upon the use which my hon. Friend the Member for Wareham (Mr. Montague Guest) has made of his power to move the adjournment of the House, nor on the rather full and animated and pointed statement which he has delivered upon that Motion, entering into the whole question of Tunis. But it is for me, in the responsible position that I hold, in the first place, entirely to associate myself with the answer which was previously given to the Question by my hon. Friend the Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke); and, in the second place, to represent to the House in the most earnest and strongest manner that justice, policy, and I would almost say decency, require that this discussion should not now be continued. On one point only can I refer to the statement of my hon. Friend the Member for Wareham, because it is an historical point which while confirming does not touch any of the matters which he probably may desire, and may very legitimately desire, to bring under the notice of the House. It is the statement which he has made that up to the year 1863 France recognized the connection between Tunis and the Ottoman Empire.

Now, that point has been a subject for very many years of correspondence, if not of controversy, between the Foreign Office of this country and the French Government from time to time. I would observe, with regard to these recognitions, that they are made a good deal to depend upon convenience by this Power and that; and if my hon. Friend is prepared to go all lengths in the assertion of the measures which this country ought to take in consequence of our recognizing the suzerainty of Turkey over Tunis, whilst France does not recognize it, he will feel that we are open to the question whether we ourselves have acted upon that principle, and admitted the suzerainty of Turkey in cases where she has claimed it. I believe I am quite accurate in saying that Turkey claimed the suzerainty over Algiers, before the French came into the possession of it; but we, considering ourselves to have a cause of quarrel with Algiers, bombarded the town without asking leave of the Porte. It will, I believe, be necessary to consider the principle upon which we have ourselves acted in laying down the law for other people's grievances. In the view of our Foreign Office, this matter has long been a matter of correspondence and controversy, and the British Government has always contended that Turkey exercised a power of suzerainty over Tunis, while the French Government has as steadily denied it. Moreover, the French Government was supported in that denial by the Government of Italy down to a very recent period. Do not let the House suppose for a moment that I mention this as a point determining, or even having any bearing upon, the merits of this question; but I merely wish that the matter of fact should not be omitted or misinterpreted. I pass, Sir, to the earnest representation I have made, and for which I will now state the grounds. My hon. Friend the Member for Wareham has, undoubtedly, in the strongest terms, arraigned the policy and conduct of the Government of France. Well, let us consider what are the titles of a friendly nation upon our courtesy and consideration. France is a country with which for more than a generation of men we have been in close and unbroken alliance; and I must say I think it is not stating too high the obligations that we ought to observe towards such a country, and, indeed, I will say towards any country, that when we have very strong charges to bring against her policy and conduct, we should take care that the House is placed in possession of authentic information before we do anything in the way of bringing such charges. My hon. Friend the Under Secretary of State has stated that this information is being pressed forward with all speed, and that in the course, I hope, of two or three days, it will be in the possession of the House. I put it to the House, as the first of the two propositions I wish to make, that if there is a disposition, and evidently there is, in the mind of some—I now give no opinion upon the matter—to arraign the conduct of the French Government, it is but right and just—and I will add but decent—that we should have that authentic information which is on its way to us in our hands before we proceed to consider the form and extent of the arraignment as to their conduct. With regard to the other question, which is a most legitimate one for my hon. Friend the Member for Wareham to raise, the conduct of Her Majesty's Government, I have no doubt that conduct will be closely and carefully scrutinized, as it ought to be. My hon. Friend says that we have been hoodwinked and deluded, and betrayed into a false position. Well, those are assertions which I only name for the purpose of showing that if I do not now contest them, I may not be held to overlook them, or subscribe to them, or any other. But the claim I would make on this portion of the question—namely, the conduct of Her Majesty's Government, is really one that I would venture to place quite as high as the claim I have just made in respect of our obligations towards a friendly and neighbouring country. My claim is that you cannot judge the conduct of Her Majesty's Government until you have the Papers before you. Nay, more, you ought not to attempt so to judge it, even if it were true that this was a question on which their conduct had exclusively turned upon proceedings of their own. But it is right I should say that when the Papers are produced, the most important portions of the Correspondence that we shall lay before the House, so far as they involve the proceedings of this country, are portions which belong, not to the time of the present, but to the time of the previous Administration. My hon.

Friend the Member for Wareham has referred to something which he supposes to have been stated or done by Lord Salisbury. I am quite sure that my hon. Friend will feel with me that there could not be a more gross deviation from Parliamentary etiquette, and there could not be a more gross deviation from the rules of substantial justice, than I should be chargeable with if I were in general terms, and without the production of the documents, to enter upon a discussion of the conduct of Lord Salisbury. I state Lord Salisbury personally, because my hon. Friend mentioned Lord Salisbury; but I have not the smallest reason to believe—on the contrary, my belief is exactly the opposite one—that Lord Salisbury, with regard to these proceedings on this important question, was in any manner separated from the general action of the Government of which he was a Member. Under these circumstances, my hon. Friend and others will see that though the time may be very close at hand when this subject should be discussed, yet that it would not be right that we should attempt to discuss it in the absence of the Papers now in preparation. It would lead to no benefit whatever; it would conduct us to no solid conclusion; and I do not hesitate to say that it might be productive of very serious inconvenience and difficulty.

Mr. O'DONNELL said, he felt very strongly the appeal by the Prime Minister to the House to wait for further information. At one time Her Majesty's Government professed to have knowledge on the subject. He admitted that the House ought not in a hurry to enter into a discussion; but, assuming that there was ground for the appeal, he thought the House ought to know what was the policy of Her Majesty's Government. Surely there could be no objection on the part of a patriotic Administration to inform the House what was their policy. They knew that some time ago Her Majesty's Government believed that the Regency of Tunis was an integral portion of the Ottoman Empire. Did Her Majesty's Government believe that, or had they given up their contention in the face of the arms of France? In fact, were they in the presence of another surrender? They knew it was a cardinal principle of Her Majesty's Government to defend popular rights and the rights of nationalities. Had they maintained popular rights at present? Surely the House ought to know whether Her Majesty's Government had assented to an annexation of Tunis. [Great interruption here ensued, upon which the hon. Member resumed his seat, saying he must decline to continue his speech.]

Mr. ASHMEAD-BARTLETT: I rise to Order, Sir; I beg to direct your attention to the fact that the hon. Member for Wolverhampton (Mr. H. H. Fowler) is interrupting the hon. Member for Dungarvan (Mr. O'Donnell) by incoherent cries.

Mr. H. H. FOWLER: I rise, Sir, to give a most distinct denial to that statement.

Mr. O'DONNELL resumed by assuring hon. Members opposite that it was only from a conviction of the importance of the subject that he had ventured to address any observations to the House. Hon. Members had asked for information again and again. Had Her Majesty's Government made up their minds, or did they intend to spring a surprise on the House this day week? Could they have been in communication with the French Government all these weeks and months, and not have arrived at any policy on the subject? Had they consented to a hauling down of the British flag? Speaking as an Irishman, he thought he had a right to plead for a recognition of national rights.

Mr. J. COWEN said, he quite agreed with the Prime Minister that any discussion of the Tunisian question at the present time would be inconvenient and unjust. They ought not to condemn the French Government until they had had an opportunity of being heard. But it was only fair to say that if his hon. Friend (Mr. Guest) had been precipitate in bringing the matter before the House, the French Government had been equally, if not a good deal more, precipitate in the course they had pursued. He feared there was little chance of their explaining away the action that had been taken. The English and Italian Governments had every reason to believe that the French simply meditated punishing the Kroumirs for their raids on Algerian territory. It was but too evident now that the Kroumir incursions had merely been made a pretext for an annexation that had long been contemplated. At least, that was the only view it was possible to take upon the case as it stood. He would be glad if subsequent intelligence justified him in altering his opinion. He had no desire to further prolong the discussion; but he wished to ask this question. The Tunisian Government owed a debt of some £5,000,000. A few years ago it was upwards of £6,000,000. The Bey was unable to pay the interest, and an International Financial Commission was established for collecting the taxes and taking charge of the Debt. This Commission consisted of one Englishman, one Frenchman, one Italian, and two Tunisians. It had been in existence now for some time, and its operations had been highly successful. The interest had been regularly paid, and the Debt had been gradually but substantially reduced. Now, he understood, by the Treaty just concluded, that this International Commission had been annulled, and a French Commission had been substituted for it. That was an important matter. A good deal of the Tunisian Debt was held by English people, and it was only right that they should be represented on the Commission. What he wished to ask the Government was, whether the Papers they were about to submit would enlighten Parliament on the part the French Cabinet had taken in destroying the old International Commission and supplanting it by a French Commission?

SIR H. DRUMMOND WOLFF asked whether the Papers to be laid upon the Table would include the Treaty said to have been signed within the last few days; and, also, whether the Government would produce any communications which might have passed with the Italian Government with respect to the action of the French Government?

MR. BOURKE also wished to ask, whether any Papers would be included relating to Biserta Bay which were at the Foreign Office? He believed that there were some Papers at the Admiralty also, in relation to that matter, which the House would like to see.

SIR CHARLES W. DILKE, in reply to the hon. Member for Newcastle (Mr. J. Cowen), said, there were points connected with the International Financial Commission on which information would be given in the Papers to be laid before the House. In answer to the hon. Member for Portsmouth (Sir H. Drummond Wolff), he had to say that the Treaty would be given in the Papers. The communication with the Italian Government would be given. In answer to the right hon. Gentleman opposite (Mr. Bourke), he thought his Question had better be put to the Admiralty.

MR. BOURKE gave Notice, that he would, to-morrow, ask a Question about the Papers to which he referred.

MR. MONTAGUE GUEST said, he was willing, after the statement of the Prime Minister, to withdraw his Motion.

Motion, by leave, *withdrawn.*

MR. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether, with regard to a threat made by the French in 1864 to fire on any Turkish ironclads that might attempt to proceed to Tunis, upon which the honourable Member for Rochester asked for Lord Palmerston's answer at that time, if he did not say that "there was no answer whatever to it;" if he is aware that in 1864, on the arrival of the French and Italian Fleets in Tunis, Admiral Yelverton was ordered to that place with the English Fleet, and that the Porte sent likewise a squadron under Mustapha Bey, with the Sultan's Commissioner, Haidar Effendi; and, if he will lay upon the Table the Papers referring to that transaction?

SIR CHARLES W. DILKE: Sir, my hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) having asked me whether the French Government had threatened to forcibly prevent a Turkish naval force from visiting Tunis, I incidentally stated in my reply that the French Government had so acted in 1841 and in 1864. My hon. Friend the Member for Rochester (Mr. Otway) then asked me what answer Lord Palmerston made, and I replied that the French Government not having asked his consent to their proceeding, he had made none. My hon. Friend then observed that he had sent the British Fleet, and my hon. Friend the Member for Wareham (Mr. Guest) now asks me if that is so. On the former occasion, in 1841, the French Government despatched to Tunis a fleet carrying 438 guns. Lord Palmerston sent a far smaller force to protect British life and property, and with distinct orders "to take no part in the dispute." On the later occasion, in 1864, on the occurrence of riots in the Regency of Tunis, in the course of which the houses of some

British merchants were pillaged, Lord Palmerston sent one large and one small ship to protect British life and property. When France interfered in the matter, a few weeks later, the French Government sent a large force, which was ultimately increased till it numbered five unarmoured ships of the Line, two iron-clads, and five other steam-men-of-war; and the Italian Government, who had at that time an understanding with the French Government with regard to Tunis, sent four unarmoured frigates, one iron-clad, and one corvette, the Italian ships having also troops on board for disembarkation. There never were more than two British ships at Tunis at any one time in the course of 1864, and their mission was to protect British life and property.

Mr. OTWAY asked, whether the Papers to be laid on the Table relating to Tunis would include the negotiations of 1868 and 1869 in regard to the Financial Commission?

Sir CHARLES W. DILKE, in reply, said, that the Papers relating to Tunis were almost of incredible bulk, and it would be impossible to include in those about to be produced the Papers referring to the negotiations of 1868 as to the Financial Commission.

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether, in view of the concert stated to have been established between the Great Powers with the especial object of regulating the affairs of the East and maintaining the Peace of Europe, France consulted the other Powers who were parties to the said concert before invading Tunisian territory, and is now acting with their concurrence and sanction?

Sir CHARLES W. DILKE: Sir, the French Government did not consult the Powers.

## CONTAGIOUS DISEASES (ANIMALS) ACTS—IMPORTATION OF CATTLE FROM IRELAND.

Mr. LEA asked the Vice President of the Council, If there is any justification for the alarm which exists as to the importation into this Country of cattle from Ireland alleged to be diseased, and which is acting so prejudicially to the interests of the farmers and graziers; and, whether any contagious disease exists amongst cattle in Ireland?

Mr. MUNDELLA, in reply, said, he had endeavoured in his former answers to state there was no justification for the alarm which existed as to the importation into this country of cattle disease from Ireland. The foot-and-mouth disease had ceased to exist in Ireland since October, 1879. There was the residuum of pleuro-pneumonia, but it was not much less than in this country. He only wished the English cattle were in as good a sanitary condition as the Irish cattle at present.

## POOR LAW (IRELAND)—BANBRIDGE WORKHOUSE.

Mr. A. M. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in view of the correspondence which has recently passed between the Very Rev. John O'Brien, of Banbridge, and the Local Government Board in reference to some orphan children, recently inmates of the Banbridge Workhouse, the Government will take steps to enable Boards of Guardians in such cases to exercise some more efficient guardianship over orphans, the custody of whom may be obtained from the Guardians by persons of a different religious persuasion?

Mr. W. E. FORSTER, in reply, said, that the children in question were given up to a relative—the aunt, he believed—by the Board of Guardians. The Board of Guardians had already ample power to exercise sufficient guardianship over orphans. The 8th section of the 25 & 26 *Vict.* only required Guardians to give up orphans to relatives if the Guardians were of opinion the relatives were fit persons to be entrusted with the children.

## CENTRAL ASIA—LORD DUFFERIN'S DESPATCH.

Mr. NORTHCOTE asked the Under Secretary of State for Foreign Affairs, On what day Her Majesty's Government telegraphed to St. Petersburg for permission to publish Lord Dufferin's Despatch of 8th March, and the Papers referred to in his speech of the 13th instant?

Sir CHARLES W. DILKE: Sir, Lord Dufferin's despatch of the 8th of March relating to a conversation with M. de Giers was received on the 14th of that month. Lord Dufferin was informed that it would be desirable to include a Report of this conversation in the Blue Book, and was asked in the usual terms, whether M. de Giers had any objection to his language being published? On the 17th, Lord Dufferin telegraphed that M. de Giers wished certain omissions to be made, and that a note of these omissions was being despatched by the messenger. It left St. Petersburg on that day, and reached the Foreign Office on the night of the 21st. I only became aware of its receipt on the day of the debate, as the despatch had to be seen by the Secretary of State and the Permanent Under Secretary of State before it reached me, and my recollection was that it had been received only on that day. The Secretary of State on the 22nd ordered the Blue Book to be immediately issued; but as it was found that it could not be got ready before the debate terminated, it was after the debate delayed to include a further despatch, bearing the date of March 26, which had been asked for in this House.

### FRANCE—THE NEW COMMERCIAL TREATY.

MR. BOURKE: I beg to ask the Under Secretary of State for Foreign Affairs a Question of which I have given him private Notice, in regard to the French Commercial Treaty. It will be remembered that the Treaty expires on the 8th of November. I believe the French Chambers will be dissolved within six weeks or two months of this time; and, therefore, unless the negotiations are concluded between this time and the middle of July, there will be very little chance of any new Treaty being negotiated before the old one expires. I should like, therefore, to ask the Government, Whether, under the circumstances, they will suggest to the French Government the desirability of prolonging the existing Treaty for six months, after the 8th of November? I do not know whether Her Majesty's Government have made any communication with the French Government. If not, I think the present circumstances would justify their making it now.

MR. MACFARLANE: Before the hon. Gentleman answers that Question, I also have one which I should like to ask him—namely, Whether, in the event of the proposed French Tariff being adverse to this country, Her Majesty's Government will afford the House an opportunity of discussing the Treaty before any engagement of a permanent character is entered into; and, whether the Government will consider the desirability of freeing itself from obligations which will hamper this country in reference to its Customs regulations with out offering an equivalent advantage?

MR. MAC IVER said, he should like to know also, What was the present position of the question of the Sugar Bounties, and the Bounties on Shipping?

SIR CHARLES W. DILKE: Sir, in March last Her Majesty's Government foresaw the difficulties adverted to by the right hon. Member, and, as I have already on more than one occasion stated in this House, asked the French Government to prolong the existing Tariff for a period sufficient for all negotiations for a fresh Treaty to be carried on and concluded; but the French Government decline to agree to this suggestion. In reply to the Question of the hon. Member for Carlow (Mr. Macfarlane), I would refer him to the replies which were given by me on the 7th of April and by the Prime Minister on the 28th of that month. In reply to the hon. Member for Birkenhead (Mr. Mac Iver), the sugar question is not under the Foreign Office, but under the control of the Board of Trade. The question as to the bounties on shipping will be brought forward again.

### PARLIAMENT—BUSINESS OF THE HOUSE—LAND LAW (IRELAND) BILL.

MR. M'COAN: I desire to ask the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland a Question of which I have given him private Notice—namely, Whether he is correctly reported in his speech at Bradford to have said that he believed the Land Law (Ireland) Bill would be passed without any material or substantial alteration; and, whether he desires to convey by that remark that the Amendments to be moved by the Irish Members will not be fairly, and so far as circumstances will allow, generously considered by the Government?

MR. W. E. FORSTER, in reply, said, he had not read the report alluded to;

Certainly, if he had stated to his constituents anything that would lead to the supposition that the Government meant not to give the usual consideration to Amendments, he did not intend to make such a statement; and he was perfectly sure that no such meaning as that was gathered by his audience. He believed that he had expressed a hope that the Bill would pass, and that it would pass in its main features. But, at the same time, he mentioned one important matter which he thought would be discussed very considerably in Committee, and, of course, he had no authority to preclude the discussion of Amendments, nor was he disposed to say anything so absurd. He trusted he should not be supposed to even wish anything of the sort.

**Mr. T. P. O'CONNOR** hoped that before the debate on the second reading closed, it would be stated what Amendments the Government would accept.

## PARLIAMENT—PUBLIC BUSINESS—THE TRANSVAAL.

**Sir MICHAEL HICKS-BEACH** said, he wished to put a Question as to his Notice of Motion in regard to the Transvaal. He understood the right hon. Gentleman at the head of the Government, on a former occasion, to have said that circumstances had somewhat altered in the Transvaal since the Easter Recess; and that, at that time, in his judgment, it would be contrary to the public interest that any debate on the subject should take place. Now, he (Sir Michael Hicks-Beach) had not the least wish, in the delicate nature of the circumstances, to do anything which would prejudice the Public Service; but, at the same time, he was anxious that the discussion of his Motion should not be indefinitely delayed. He therefore asked the right hon. Gentleman, Whether, in his view, circumstances had not so far changed as to admit of such a discussion being taken?

**Mr. GLADSTONE**: Sir, the representation which I made with respect to the altered state of affairs in South Africa as bearing on the proposed Motion of the right hon. Gentleman had reference to the examination we had been able to make of the transactions at Potchefstroom; and on those transactions certain measures of the Government required to be adopted. Until those measures are completed, I cannot give any answer to the Question put by the right hon. Gentleman. The last telegram which I saw, and which is dated yesterday, would imply that we shall have the information speedily. But they are not concluded at present, and matters, strictly speaking, are as they were when I last spoke.

## NAVY—DESTRUCTION OF H.M.S. "DOTEREL."

**Mr. W. H. SMITH**: I wish to ask the Secretary to the Admiralty, If the attention of the Admiralty has been called to a statement in the "Daily News" of Saturday last, to the effect that information received from the Pacific station had come to the knowledge of the Government that Fenians were likely to blow up the men-of-war on that station, and that precautions were taken shortly before the disaster to the "Doterel;" whether it is in the power of the hon. Gentleman to give any information to the House on the subject; and, whether there is any connection between this information and the destruction of the "Doterel?"

**Mr. TREVELYAN**: Sir, it is true that information, early in last winter, reached the Admiralty from abroad, which their Lordships thought it right to communicate to certain of the foreign stations. At the end of the letter in each case the following paragraph occurred:—

> "My Lords do not wish to attach undue importance to the information in question; but they desire to notify it to you, with the view of such precautions being taken to secure the safety of Her Majesty's ships and vessels under your command as you may deem to be necessary."

One of these stations communicated with was the Pacific, to which the *Doterel* belonged; and the Admiralty do not attach importance to what, with their present knowledge, they are inclined to regard as nothing more than a coincidence. With respect to the steps taken since the loss of the *Doterel*, I may say that the *Garnet* sailed for Sandy Point on the 6th from Montevideo; and on the 4th the sloop *Penguin*, with a complete equipment of divers and diving apparatus from Coquimbo. The *Garnet* must be before this at Sandy Point, and the *Penguin* should be there in a day or two. The *Britannia*, bringing the survivors, is expected at Liverpool on the 31st, where preparations have been made for their reception; and Commander Evans has been ordered to proceed at once to the Admiralty, while the others go on to Portsmouth, so that within a fortnight the questions as to the disaster will be cleared up as far as human testimony can clear them up beyond the point of theory and conjecture.

### LAND LAW (IRELAND) BILL.

**MR. PARNELL** wished to ask, with reference to the reply given to his hon. Friend the junior Member for County Wicklow (Mr. M'Coan), that the Government would give reasonable consideration to Amendments moved by Irish Members in the Committee stage of the Land Bill, If the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland meant the same reasonable consideration which he gave to Amendments moved by Irish Members during the passage of the two Coercion Bills?

**MR. W. E. FORSTER**: Sir, what I meant to say was this—that the fullest consideration would be given to all *bonâ fide* Amendments.

## *ORDERS OF THE DAY.*

—o—

### LAND LAW (IRELAND) BILL.—[BILL 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[SEVENTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th April], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing to consider any just measure, founded upon sound principles, that will benefit tenants of land in Ireland, is of opinion that the leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic,"—(*Lord Elcho,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

**MR. GLADSTONE**: Sir, I desire to apologize to the House for my having requested my hon. and learned Friend the Solicitor General for Ireland (Mr. W. M. Johnson) to permit me, instead of himself, to address it at this early portion of the evening — though not quite so early as I hoped it would have been. Various observations have been made by hon. Members, who appear to think there has been either a purpose or unnecessary reservation on the part of the Government with respect to some questions of interest raised in the Land Law (Ireland) Bill; and I have made up my own mind that it is well for me —though I do not see the justice of the objection—to do all that lies in my power to obviate its repetition. I have, therefore, determined to take advantage of the opportunity secured by my hon. and learned Friend, and to solicit the privilege of addressing the House to-night; and being somewhat indisposed, and not able to remain in the House throughout the evening, to venture to make a change in the arrangement as to the person by whom the debate is to be resumed.

Now, Sir, before I speak on the Bill, with the second reading of which we are concerned, I wish to refer to two words which we have heard often repeated in this debate. The first word is "confiscation," and the second word is "compensation." They are words that are, and ought to be, in close association together; for I certainly should be very slow to deny that where confiscation could be proved, compensation ought to follow. But, Sir, I must say that those words are used too frequently and too soon. They are almost the stock expressions of debate upon certain classes of questions. They have repeatedly, again and again, been urged with the greatest confidence where, in some cases, no proof has been shown, and where, in other cases, disproof has been furnished abundantly. I will not refer now in detail to the charges that were made upon the very limited measure that we introduced last year with respect to Compensation for Disturbance, because that remains as it was 12 months ago—a matter of opinion—having been nipped in the bud, and having been prevented from doing the extended evil which was anticipated from it by hon. Gentlemen opposite, or the great good which we, on our part, confidently believed that it would have produced. Hon. Gentlemen opposite know—I need hardly remind them—how this charge of confiscation was raised on the repeal of the Corn Laws; and how it was raised last year upon the very humble, though useful, measure introduced by my right hon. and learned Friend the Secretary of State for the Home Department in respect to Ground Game. It is more to the purpose that I should remind them how freely it was raised when the Land Bill was under discussion in 1870. ["Hear, hear!"] It was used on that occasion by the hon. Gentleman the Member for Mid Lincolnshire (Mr. Chaplin); but I had not intended to quote him in regard to it had he not invited me by his cheer. It was, however, used by others, who may be considered as representative men of the Party. Lord Salisbury described that Bill as bribing one class by plundering another. He said—"You are bribing one class and plundering another, and you are setting an example easily followed." Lord Cairns used much the same language. He spoke candidly, and said, "You allow me the option of purchasing my own property"—words which themselves imply confiscation. Indeed, he quoted with praise a declaration from a certain publication, that there would be no settlement of the question without something which would be called confiscation. ["Hear, hear!"] Well, I am very glad that I am not mis-stating anything as regards the case. "Confiscation" was the word applied to the leading enactments of the Land Bill of 1870. Did the Land Act, when it became the law of the land, confiscate the property of the landlords? Did it injure the property of the landlords? We affirm, on the contrary, and upon evidence, that it improved the property of the landlords. [*Dissent.*] A shake of the head is less authoritative than the Returns made of authentic transactions in Courts of Justice; and authentic transactions in an Irish Court of Justice from year to year show us two things. In the first place, the rents have increased under the action of the Land Act. I am not speaking now of undue increase; I would say rents have grown under the action of the Land Act. And, in the second place, upon the increased rents, with the larger rental, a larger number of years' purchase has been obtained where the property has come into the market. And that, Sir, has been the end of the charge of confiscation with respect to the Land Act.

But I humbly think there have been cases much more like confiscation than the Land Act. I find a case in my own experience in 1874, though it was on a more limited scale: I refer to the confiscation of the advowsons in Scotland under the Church Patronage Act. I mentioned it at the time, and I never knew a clearer case in my life. I allude to the confiscation of advowsons in the Church of Scotland under the Church Patronage Act. But that is a small matter. Confiscation has come nearer to Ireland in previous legislation. When, in a country where it is now admitted that the improvements upon the holdings are, as a rule, the work of the tenants, we allowed and encouraged the landlord to carry those improvements into the market and to sell them for his own benefit — then, indeed, there was something like confiscation. I never heard, Sir, on that occasion that the Members for the University of Dublin or anyone else belonging to their Party was scandalized at the proceedings of Parliament. It was a most unfortunate and deplorable business. I do not say, and I do not believe, that those who made the recommendations which led to it—the Members of the Devon Commission—were actuated by any evil motive. I believe it was a sheer error, arising out of a sheer want of regard for existing facts. But I want to point it out as teaching a lesson of caution and circumspection to those who so freely and so readily use these hard words and cast them at the head of men who also consider that to propose principles of confiscation would be a disgrace—a disgrace to the Ministers who suggested and the Parliament which would tolerate them for a moment.

I own that I go myself further than what I have stated with regard to the Encumbered Estates Act. By it we have established a system in Ireland, during the present century, which essentially altered the position of the Irish tenant without his permission—I may say without his knowledge. The old system of the Irish law made it hardly practicable for a landlord, without the greatest delay and difficulty, to put into force extreme measures against the tenant. I do not make that statement upon feeble or doubtful authority.

I make it on the statement of a Preamble of an Act which altered that state of things. The Act of 1816, which did that, recited in its Preamble that such were the expenses and delays of ejectment that it was entirely and absolutely impracticable as a remedy. We must not, therefore, refuse to look at the fact that if the recital of that Preamble be true, there was a permanence and security of tenure then attaching to the Irish tenant which you have since taken away. He has never acquiesced in that abstraction of such security which he possessed and enjoyed; he has maintained against it a continual protest; he has certainly not allowed it to lapse into abeyance. What I wish to say is that we are endeavouring, and it is time to endeavour, to establish the order of something like equal justice in Ireland in these matters; and that those who plead on behalf of landlords—and they have a perfect right to plead against anything that they think trespasses on those rights —should recollect what is due to others who have so long suffered from a course of legislation continued through generation after generation, endured too long without complaint, and now resulting in difficulties with which we are endeavouring to cope, and in the endeavour to cope with which I think we are entitled to some tittle of consideration on the part of this House.

Now, first, with regard to the charges of confiscation. I will only say that the Government cannot admit that they make any confiscation, or in any way approach confiscation, in this Bill, and are not prepared in consequence to admit any plea for compensation. The proof of confiscation — the proof of damage resulting from the action of the Legislature—is the very first step that must be taken and that must be established beyond doubt before the House can fairly be called upon to consider whether it will grant compensation or not. In 1846 the Irish landlord was not inconsiderably compensated at the time of the repeal of the Corn Laws, notwithstanding the enormous benefits conferred upon him by Sir Robert Peel in that measure. There was not a single commodity reared in Ireland for export that has not increased in price under the action of Free Trade, and yet for the change that brought about those results the Irish landlords were compensated by the transfer of a moiety of the charge for the Constabulary to the Consolidated Fund, a moiety which then, I think, amounted to £300,000 or £400,000, but now amounts to more than £1,000,000. I will now pass from the question of confiscation and compensation, and come to the Bill.

Now I wish to observe, Sir, that I have never known a case of so large a measure debated for such a length of time of which so few points have been brought into serious discussion. The points that have been brought into serious discussion, in very different degrees, are, as far as I know, these. We have heard much of fair rents, and we have had reference to the question of arrears. On the question of arrears I will say nothing, except that it is an important question; but there will be no advantage, indeed there would be a difficulty, in dealing with it in detail on the second reading of the Bill. In the same way, another bye-question which we have considered, and the result of which consideration appears in the Bill —but it may be worthy, nothwithstanding, of further consideration—is the question of current leases. That also is evidently a question which, in my opinion, ought to be reserved for the Committee on the Bill. Another question, Sir, that has been repeatedly raised has been the apparent unfairness and hardship of refusing to the landlords, as it is said, the power to go into the Court. That is certainly an obvious and plausible question. If you permit the tenant to come into your Court, why do you not permit the landlord? That question seems to have caused much difficulty, and one hon. and learned Gentleman, the Member for Antrim (Mr. Macnaghten), was so struck with the force of that question that he said he should propose that the landlord should be permitted to go into Court. But how did the hon. and learned Member propose to do so? His speech was characterized by great critical and logical power. But he proposed to give an experimental proof of his constructive powers, and that was a much more dangerous task. He said it was a hard case that a landlord having 150 tenants should be liable to 150 suits. What he proposes is this—"I will let the landlord go into Court and exhibit to the Court the state of his rents, and get from the Court a certificate that his rents are fair. But the landlord must undertake not to raise his rents for a certain number of years." Did the hon. and learned Gentleman, who is a lawyer, propose that that proceeding should take place behind the back of the tenant? [Mr. MACNAGHTEN: Certainly not.] That is the answer I get. I am glad to find that the hon. and learned Gentleman, when under criticism, is not insensible to comment. He means then that there must be notice to the tenant. Very good. The consequence is that the hon. and learned Gentleman proposes, by way of giving favour to the landlord, that he shall have 150 suits on at the same time, in order that he may be rewarded by the privilege of having the rent established, which rent he must not raise for a certain number of years. I cannot conceive that the hon. and learned Gentleman was serious in making such a proposal as that the landlord should be allowed to come as a privilege into Court and raise the question of increasing every rent on his estate.

But, Sir, we have proceeded on an entirely opposite principle—the principle of disturbing nothing that we could avoid disturbing, and of leaving outside the Court and the action of the Court all those who are willing to be so left, in order that they may settle their affairs without the intervention of the Court. That is the frame of the Bill. The Bill does not open the Court to the whole tenantry of Ireland; it leaves the initiative of going before the Court to the landlord. But still that is not an answer to the question. Why not allow the landlord to go into Court? In the first place, you are entirely mistaken in the idea that the landlord has no power to go into Court. That is a mistake made by many hon. Gentlemen who have made eloquent speeches on the other side of the House, evidently without having read beyond the first page of the Bill. Now, Sir, what is the interest of the landlord in this matter? His interest, in the first place, lies in keeping up his rent to a fair and just standard. That interest is secured to him by giving him the power of raising his rent, and throwing it upon the tenant to go into Court in order to obtain a judicial rent against him. Some people say—"Why don't you allow the landlord to escape the odium of raising of rent by obtaining a judicial sentence from the Court?" They think—it is the first time I ever heard it—that any landlord in this country believes that he is diminishing the odium of some proceeding that he takes against a tenant in his own interest by founding upon it a lawsuit in which he involves the tenant. The fact is, that so far from diminishing odium, he would, in my opinion, largely increase it, when he mingles the action of the Court with his own pressure upon the tenant.

Then, again, there is the interest of the landlord, if he wishes to avoid the risk of having a tenant rack-rented, not only in his own rent, but in the tenant right for which he pays to the outgoing tenant. The landlord may fairly plead—at any rate, the Bill admits it—that the tenant right may rack-rent the incoming tenant as much as an extravagant rent. Be it right or wrong, we have provided in the Bill for that, and all that we have heard of successive sales of tenant right—rising one above another—is utterly inapplicable to the Bill. The 1st clause of the Bill provides for it. Hon. Gentlemen who have spoken on this subject have only read the first limb of the first sentence of the 1st clause. It says that the tenant shall be allowed to sell his tenant right for the best price that he can obtain. Hon. Gentlemen read so far, and no farther. But if they went on, they would find that the tenant is required to give notice to the landlord, and the landlord, on receiving that notice, may agree with the tenant on the amount of the tenant right that the outgoing man is to receive; and, if he cannot agree with the tenant, he may take him into the Court for the purpose. Thus the two items of the landlord's interest are secured—his interest as to the rent, by his power of raising the rent; his interest as to the tenant right, by his power of taking the tenant into Court. But it may be said—"Why don't you give him a wider power still, and allow him always to go into Court?" That is a fair question for discussion, and we have well considered it. But I think the House will probably agree in our conclusion that the wiser course is that which we have adopted. In the strange state of things which has prevailed in Ireland the Court has been looked upon as a sort of Paradise into which everybody would rush. That is not our view at all in the matter. We conceive that the action of the Court must impose considerable burdens on small owners who cannot undertake to pay the expenses of civil litigation; and the expenses of civil litigation, however you may control them, must be severely felt by the poor man and the small man. To the landlord the expenses frequently may be light; to the tenant they may be very severe. But, be it understood, it is in the indiscriminate power of the landlord to go into Court. Let that matter be argued in Committee if there is any question about it. We shall hear what is to be said, with perfect willingness to be convinced if good and sufficient reasons can be given; but we have not acted without reason or consideration in the course we have taken. I have shown also that it is totally inaccurate to say that the landlord has no power of going into Court, because, in the matter of tenant right, which he can check in no other way, this Bill authorizes him to go into the Court. [An hon. MEMBER: Where?] In the 3rd sub-section of the 1st clause it is stated that, on receiving notice, the landlord may purchase the tenancy for such amount as may be agreed upon, or, in the event of disagreement, as may be settled by the Court. The resort to the Court is there as clearly indicated as can be. [Sir R. ASSHETON CROSS: When is that power given?] When there is a change of tenancy. The 1st clause says—

> "On receiving such notice the landlord may purchase the tenancy for such sum as may be agreed upon, or, in the event of disagreement, may be settled by the Court to be the value thereof."

That contemplates most distinctly the case when the tenancy passes from one person to another; but I do not believe the words convey that it is to be a resumption of the land by permanent possession on the part of the landlord. The landlord may agree with the tenant upon the sum to be paid for the purchase, or he may have the sum fixed by the Court.

And now I will take the question of the constitution of the Court. I own this matter has received from one of the Members for the University of Dublin such discussion in detail as I have hardly ever known given upon the second reading of a Bill, and with a warmth and vehemence such as I have scarcely ever seen exceeded even by him. This is a matter necessarily of detail, for consideration and adjustment. The state of the case is this—I am bound to make an admission. In one point this Bill, for which, I think, the draftsman cannot be too much praised, whatever judgment its authors may deserve, does not exactly correspond with our intention. Our intention was to give an option of passing by the Civil Bill Court, if it was decided so to act; but it was also thought there should be power of going into the Civil Bill Court. The tenant, we thought, should have the power, if he pleased, of going to the Commission, or the agent of the Commission, at once. I put it respectfully to hon. Gentlemen, whether it is desirable to go further than that? I am not now raising the question of the arrangements to be made for the conduct of proceedings in the Civil Bill Courts; but I submit it would not have been wise wholly to pass by a body of gentlemen who have had an opportunity under the Land Act of acquiring a mass of experience such as is not possessed by any other body of gentlemen in Ireland. I will go one step further, and say I cannot for myself—it may be owing to my ignorance—think, upon the figures, that the result of actions in the Civil Bill Court have been very discreditable. Hon. Gentlemen who are lawyers will be able to form a much better judgment than I can in this matter; but I invite attention to these facts. For the four years previous to 1877—before that time we have no available account—we have the number of land claims which were entered before the Court. These claims were 1,688. The appeals tried from these cases were 212. The judgments confirmed were 140, and, so far as I can make out from the figures, there were 50 judgments which have been reversed, upon a total of 1,688 cases tried—that is to say, 3 per cent, which means that 32 out of every 33 men who came before the Civil Bill Court had justice done to them. I cannot suppose that will be considered a very unsatisfactory result. I can hardly think the Court deserves the severity of judgment which has been pronounced by some. Great fault is found with the Bill because of what it is said may be done by our Commissioner or by his deputy, and the most dreadful pictures have been painted of the consequences of placing power in the hands of incompetent men. We shall be very glad to hear in Committee of any safeguard that can be provided; but the House will bear in mind this fact. It is hardly possible, however, to forecast the details of the probable transactions under this Bill. No one can tell where they will rise—how they will rise—in what part of the country they will rise.

This leads me to another remark on the speech of the hon. and learned Member for Antrim. He complained that the Bill was not sufficiently elastic. How does he propose to make it more elastic in this matter of the Court? He said, Why do you not appoint two Commissioners for each Province? How do we know what will be requisite for each Province? In one Province there may be little or no demand. In Leinster and Ulster, for example, it is possible the demand will be very different from what it will be in the other Provinces. What we propose is, not that a multitude of public officers shall be created before we know whether there shall be any duties for them to perform, but that officers of the Court may be appointed as necessity arises and according to the measure of the necessity. So much for certain of the points raised. And as to the very important point of a fair rent, one of the Members of the University of Dublin condemns our proposal as undoubted confiscation tempered and flavoured with cowardice; while other hon. Gentlemen, more moderate in their mode of looking at the measure, think that the words we have used are defective and even dangerous. I see the senior Member for the University of Dublin (Mr. Plunket) in his place, and I must pay him a deserved compliment. I do not think it was possible to submit arguments more calmly, clearly, or more fairly to the consideration of the House than he did.

Let me endeavour to go through the points of this question, and, in doing so, I shall make another more agreeable reference to the hon. and learned Member for Antrim. He made a remark with which I, for one, most cordially agree. He said the very terms "fair rent" conveyed their own meaning. They are really the charter of those who are interested in fair rents; but it is a question, and a very difficult question, to know how far we can go in development, in restriction, and in direction. I have to admit, however, that the Government are not very proud of their workmanship in this portion of their undertaking, and I hope it may be amended, and materially amended, in Committee. But, at the present moment, my wish is to draw in the clearest manner a distinction between that which is essential and that which is secondary and accidental in this clause. And here I must complain of the right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson). He holds that, according to the best legal construction, the proceedings of the Court would be carried on thus: a certain rent would be fixed, and then a tenant-right outside Ulster equivalent to seven years' rent will be deducted from that original rent. Now we protest altogether against that method of deduction; it is not the manner, so far as I know, in which these things are conducted in Ireland now. In this very difficult business it is some comfort to recollect that this subject of rents is not new to Irish lawyers and Irish Judges; in Ulster it has been before them for some time, and in other parts of Ireland it has come before them in cases of eviction under the operation of the Land Act. I must go a little further and complain that the right hon. and learned Gentleman not only put a construction upon the clause by interpolating words of his own into it that are not there, but he then went on to exhibit his own method in a supposed case, stating his argument on an altogether fallacious basis. He imagined a case in which he supposed the fair rent in the market was £24. The fair rent in the market! That was his starting-point in this great argument; but that starting-point is poisoned with a fallacy from the beginning. Our whole contention is, that these words, applied to Ireland generally—"a fair rent in the market"—are words involving a contradicion in terms, for the rent in the market is not a fair rent. Consequently, everything that the right hon. and learned Gentleman founded upon that fallacious assumption was as fallacious as the assumption from which he started. The essence of this clause really must be considered apart from particular words which one person or another may desire to add to the description of that essence. I believe we were right in requiring that the Court shall hear and take into consideration all the circumstances of the case. Beyond that, what we feel is this: there is one circumstance of the case so important, so paramount for every settlement of the question, that we must take notice of it, and that is the tenant's interest. We cannot leave that covered up by any general expression of "all the circumstances of the case." We are bound to point to the tenant's interest. Now no one can say, I think, that there has been any reticence on the part of the Government as to what the interest of the tenant is. My right hon. and learned Friend the Attorney General for Ireland said most truly that if you were to admit this doctrine of deduction it would be a deduction from the top market rent, and not from the fair rent. Now, supposing the case of a top market rent in Ireland, what does that include as a general rule? In the first place, it includes annual payment for the value of the tenant's improvements, and that is the first and the greatest element of legitimate tenant right. In the second place, it includes the excess which is found in open biddings for holdings in Ireland, in consequence of the scarcity of land as compared with the demand for it—just as in buying a curiosity in this country, simply because the article is rare, the buyer will go far beyond the intrinsic value in the price he gives, so, under the necessity of a much sterner order in Ireland in bidding for land, the bidder is ready to give more than he really ought to give, or can properly afford to give—and that excess in bidding for the land, owing to the scarcity of land in Ireland, is the second and remaining element of tenant right.

And here I come to the very fair and pertinent question of the senior Member for the University of Dublin (Mr. Plunket). I say that neither of these elements of value belongs to the landlord. Both of them form constituent parts of the tenant right, and those taken together may be said very fairly, in general terms, to constitute that which the tenant has to sell. Now it has been supposed to be absurd to make any reference in this matter to the compensation for disturbance and for improvements under the Land Act, and I admit, as the clause now stands, the words have too exclusive prominence given to them. They stand as if they were the only thing to be looked at outside Ulster, at all events, as requiring definite notice, whereas they are not. But, on the other hand, hon. Gentlemen must recollect that these words are most important and operative words under the Land Act of 1870. Under that Act, as it passed this House and went to the House of Lords, it stood thus—that no yearly tenant could be evicted from his holding without being compensated for his improvements and for disturbance, on a scale with a maximum of seven years. Well, the effect of that was that the Act, as it went from this House, permitted assignment, and that assignment constituted tenant right. I challenge contradiction to that statement. The place of a man whose holding was the means of livelihood was a thing worth paying for, and the people are willing to pay for it. The complaint is that they only pay too much; and when we said to the holders of land—"We will fortify your position by taking care that you shall not be removed from it," we gave them virtually the tenant right, and a real interest in the holding. But what was done in the House of Lords? A prohibition to assign. Although, however, the property was made inalienable, though the privilege of alienation was unfortunately taken away, yet the property itself remains; and upon cases of eviction how is the thing worked? I am not now speaking of eviction for non-payment of rent, but of those cases, happily, I believe, not very numerous, where the eviction has been of a more arbitrary kind. In those cases what happens is this:—The landlord has evicted, the tenant claimed compensation for disturbance, the landlord looked out for another tenant; that other tenant, and not the landlord, has paid to the outgoing man the compensation for disturbance; and that is the basis of the tenant right. Depend upon it, under the operation of the Land Act there have been at work causes which, gradually but surely, have tended to the distinct development of a system of tenant right in all agricultural holdings of Ireland; and not only so, but have tended to give to that tenant right a form, corresponding in the main to the compensation for disturbance and compensation for improvements.

I have explained, therefore, what the tenant has to transfer. I say he has to transfer these improvements; and if he is in a position fortified by compensation for disturbance, his holding being a means of livelihood, which it is worth another man's while to pay for, he has got this apart from the landlord; and it is perfectly fair and just that you should not interpose any obstacle. Therefore, in our view, the tenant right in Ireland is made up of elements neither of which belongs to the landlord, and which no landlord except an unjust landlord, and the case I trust is exceptional, endeavours to convert to his own profit. But an unjust landlord must be prepared to be interfered with. We will not undertake to respect the use he has made of the peculiar circumstances of the country, and of the long and favourable presumptions of the Legislature towards him, or allow his doing less than justice to those who stand towards him in the relation of social inferiors and dependents.

I trust, then, it will be understood that, in considering tenant right, these, and these only, are the elements which, so far as our views go, the Court will be entitled to exact. We assert distinctly and maintain that such is the legitimate basis of tenant right over and above improvements; but we assert also that that is an element which forms no part whatever of a landlord's legitimate rent, and which consequently is not to be deducted from the rent, and constitutes no interference with it at all. I will not enter into further detail on this question. We shall have other opportunities of doing so.

The principles of this Bill I have never heard once described in any speech from the opposite side of the House during this debate. Every observation that has been made has gone, as it has appeared to me, upon bye-points—for I call just and fair rent, however vital it may be, a bye-point. If we admit fair rent, you will, I hope, hold us to give a substantial meaning to those words; but it is a bye-point. But the principles of the Bill I have heard excellently described by those hon. Gentlemen who have studied the Bill on this side of the House. My hon. Friend the Member for Tyrone (Mr. Litton) perfectly comprehended it. The basis of it lies in the land scarcity of Ireland, and its principle is this—in the first place, a frank acceptance of the Irish custom, and especially this custom of tenant right. And now I am going to make an observation—not dogmatically; but I must say that, in my reading about land in Ireland, it has often occurred to me that the truly wise landlord in Ireland was the man who not only was liberal to his tenants, but who gave to that liberality a form and method of application adapted to the usages of the country. I do firmly believe that there are many wise, good, and enlightened landlords in Ireland, using those words in the general sense, who have freely spent money and parted with money for the sake of what they thought doing their duty, but who would have done their duty more profitably for themselves, and more advantageously to the country, if they had been less intent upon importing exotic habits into the country, and more inclined to allow the people to work according to their usages and traditions. At any rate, I hope hon. Gentlemen will see from our point of view that nothing is so plain as the duty of accepting the principle of tenant right. I cannot say with what satisfaction I listened to the able speech of my noble Friend the Member for Barnstaple (Viscount Lymington) upon this subject. His father, Lord Portsmouth, is one of those who tell you plainly, as I understand him, that he does not come before you in the character of a martyr or a victim. He does not say he has suffered by his practice to his tenants; but he has said that the frank allowance of tenant right has been most profitable to himself. That has been the result of universal experience in Ireland, and it is established by the experience of Ulster. Whatever you may say of the extensive and almost unintelligible prices which are sometimes obtained there for tenant right, it is undeniable that whereas, in general, rents in Ireland have grown much more slowly than in England or Scotland, the slowness of their growth is really to be attributed to the insecurity of the tenant. Equally undeniable is it that within Ireland itself, if you compare the growth in Ulster, where there was tenant right, to the growth in the other three Provinces, where there was none, it has been far more rapid in Ulster; and that is entirely owing to the fact and presence of tenant right.

Some hon. Gentlemen have referred to speeches of mine, and have put me back to what is a very unacceptable task — that of reading them over again—but I must say that there is only one important particular in my speeches of 1870—to which I will at present refer—which I do not strictly and literally abide by. The principles upon which we have proceeded are—first, a perfectly frank acceptance of Irish custom; and, secondly, what is undoubtedly a great departure from the principles of free contract—namely, the introduction of judicial authority to settle a grievance between man and man with regard to agricultural holdings. Sir, I do not for a moment disguise the magnitude of that proposal. It is, if I may say so, the one really Radical proposal in this Bill. It is the one and only proposal that involves a strong and sharp departure from ordinary principles for the regulation of private affairs. I do not disguise it. But I ask you to observe this—first, it is required by the circumstances of the country; and, secondly, it is limited by those provisions which we have introduced, and which, in every case, though you have not thought fit to take any notice of it, have left it open to parties to return, when they conveniently can, to the ordinary principles of contract.

Are we justified in introducing this Radical proposal for committing to a Court the regulation of these private and personal appeals? In presenting this Bill to the House I stated what were not the reasons which, in my opinion, would justify it, and also what the reasons were which would. The necessity which I pleaded was a necessity, in the first place, arising from the unprecedented position of Ireland with regard to the pressure of the demand for land as compared with the supply; and, secondly, the unfortunate but inevitable results of the conduct of harsh and grasping and even cruel landlords, who, though few in proportion to the whole, have it fatally in their power to compromise the best interests of other men. I also quoted authority—and I have heard no one from the opposite side of the House make any reference to the authorities under which we are acting —I also pointed out that the Commissioners had recommended the introduction of this great innovation. I will now refer to one Commissioner who sits before me—namely, the hon. Member for Mid Lincolnshire (Mr. Chaplin). He is one of the fathers of this Bill. Far be it from me to say he has ever owned it, or even made the smallest confession. But in ascribing it to him I am doing him an honour. He is not aware of the extent of his connection with this Bill. I will also refer to two persons who, when the Land Act of 1870 was under discussion in this House, recommended the reference of these matters to a Court. One of them is a Nobleman who is still alive—I mean Lord Winmarleigh. The other was the eminent man whose loss you are—and I cannot wonder at it—now deeply mourning. In 1870, Mr. Disraeli said—

> "If a man without a lease, and who had paid his rent, is evicted, let his case go before the tribunal you shall appoint; let the Judge investigate all the elements of the equity of the case; and let him come to a decision which on one side shall guard the tenant from coercion, and, on the other, preserve the landlord from fraud." —[3 *Hansard*, cxcix. 1821.]

That, of course, is the object of the new Court. Therefore, you have in those words the substance of this tremendous proposal. I shall now read the words of the hon. Member for Mid Lincolnshire, who has put his hand to this paragraph—

> "Bearing in mind the system by which the improvements and equipments of a farm are very generally the work of the tenant, and the fact that a yearly tenant is at any time liable to have his rent raised by the increased value given to his holding, by the expenditure of his capital and labour, legislative interference to protect him from an arbitrary increase of rent does not seem unnatural, and we are inclined to think that by the majority of landowners, a measure properly framed to accomplish this end would not be objected to."

I understand the hon. Gentleman to point to what I may call the preamble of the sentence. [Mr. Chaplin: Read the next paragraph.] I have not got it here; but the next paragraph treats of the three "F's," and we have not proposed the three "F's." I will come to that by-and-bye. The hon. Member is quite justified in pointing out that the preamble of this sentence has reference exclusively to improvements. That is quite true; but the enacting part has not. If the hon. Member had been content to say in his Report—"In consequence of the arbitrary increase of rent put upon the improvements of the tenant, we, the Commissioners, recommend that his improvements shall be protected by the intervention of a Court," that would have been one thing. But that is not what he has done. He has recommended the intervention of the Court for the purpose of preventing all cases of an arbitrary increase of rent. But an arbitrary increase of rent is not limited to the tenant's improvements. It includes the swallowing up of the tenant's interest, and taking advantage of his property and the state of the market to get more than the commodity is worth. The hon. Gentleman, in recommending that the tenant shall be protected against an arbitrary increase of rent, without limiting that recommendation in the slightest degree to the particular case of improvements, has made himself responsible for the great and the only violent recommendation of this Bill.

I admit the Commissioners have said nothing at all excepting about rent. They have said nothing about tenant right; they have said nothing about security and fixity of tenure. Did the Commissioners really suppose that you could bring in a Court to determine rent and entirely refuse to take cognizance of the question of security of tenure? Is it possible to say—"A Commission shall determine the rent to-day, and the landlord shall, if he please, put out the man to-morrow?" The hon. Member will not rise and answer that question, although I paid him the compliment of ascribing to him the paternity of the Bill. The hon. Gentleman will see, if you authorize the Court to fix the rent, that it necessarily involves some duration of the rent. If you involve some duration of the rent you are fixing it, and between you and us the difference is only one of degree. We have not said rents shall be perpetual. We have introduced provisions by which they may be re-fixed from time to time, as circumstances would arise. In the same way with tenant right, I do not believe the hon. Member, and I feel sure that no Member from Ireland, will say that when a Court has fixed judicially the rent of a holding and given to that rent a certain term of years through which it shall exist indefeasibly, except by the fault of the tenant, the tenant's interest should not be an interest saleable in the market. These three things are inseparable. They are three strands of one cord, and they are absolutely indefeasible. We have largely qualified them all; but to have attempted to deal with one of them, and not made a consistent whole, would, in my opinion, have proved totally unworthy of the great question with which we have to deal.

We have, therefore, I admit, with reference to the very grave circumstances of Ireland, made this great departure from the principles of free contract. But with that great departure we have combined provisions to enable the parties to return to free contract when they may find it expedient to do so. And, lastly, one of the principles of the Bill is in a set of provisions intended to promote and further the acquisition of capital and of a permanent proprietary interest, and advances of public money for certain other important purposes. Under these circumstances, I must own it is with the deepest regret that I have observed the conduct of the Party opposite on this occasion. I am very sorry that the noble Lord the Member for Haddingtonshire (Lord Elcho) is not in the House. The Opposition are going to support him in the assertion that—

> "The leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic."

My noble Friend delivered his speech with such good humour, and was himself so obviously pleased with what fell from his lips, that it became infectious throughout the House. I myself was not insensible to the charm of it; and, I must say, it was an excellent example of a speech, in which an experienced Member of Parliament showed that you may say very strong things without giving offence. He gave no offence to me; but I am sorry to say that he misapprehended and misunderstood the case, greatly, I think, to his own prejudice. Is it possible that any Gentleman on the opposite side of the House can think that he is promoting the interests either of his Party or of the country by representing that this Bill gives perpetuity of tenure, perpetual fixity of rent, and unlimited tenant right? As a matter of fact, the tenant right is limited; the judicial rent is rent only for a term; and the security or possession given to the tenant is not only defeasible in consequence of his own breach of contract, but also after the first 15 years, which, after all, is not perpetuity. It is also defeasible if the landlord is able to make out a reasonable and sufficient case for resumption. We may be right, or we may be wrong; but why begin the unfortunate course of inflaming and exaggerating your statement of the provisions of the Bill? Surely it was a case in which the public interest, and, most of all, your own interests, would make it desirable that you should understand everything in as favourable a sense as reason will permit you to attach to it.

So far as we are concerned, I am not complaining of what you have done; I am not at all sure that your conduct has been adverse to our Bill. Your censures and denunciations have gone forth through the length and breadth of Ireland as the strongest testimonials on behalf of our measure to secure to it the adhesion of the people; and I think it is very likely that you may have induced by your statements—entirely outstripping the fact—some persons in Ireland to think that the Bill contains what it does not contain. It is a very large and strong measure; it is a measure as large, I hope, as the necessities of that country demand. But we have carefully endeavoured to prevent its wanton or its needless enlargement, and to leave every ground and every opening for the maintenance of the present social relations in Ireland, and likewise for the return of that which we know to be the best system for the cultivation of land under all normal circumstances—namely, a system where its particulars are arranged by free discussion between one man and another.

That being so, what are the Party opposite going to do? The noble Lord the Member for North Leicestershire (Lord John Manners) has given Notice of a hostile Amendment. Everybody knows that the meaning of an Amendment on the second reading is not only opposition to the Bill, but it is the extreme form of opposition to the Bill. The noble Lord, however, who has been a Member of several Cabinets, has not only given Notice of an Amendment, but has announced that he is going to vote for the Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho). I presume that he made that announcement on behalf of his Colleagues. In the Notice of the noble Lord the Member for North Leicestershire I perceive the first effect of the death of Lord Beaconsfield. If he had lived that Notice would not, in my opinion, have been given. I have had an experience of Lord Beaconsfield from a post opposite to me; but it has been a long experience; and you do not remain wholly ignorant of a man with whom, on a thousand questions, you are obliged, however unequally, to measure swords. When, Sir, a Liberal Government came into Office in 1868, and proposed the Disestablishment of the Irish Church, it would have been in the power of Lord Beaconsfield, if he had thought fit, to have prolonged the contest for years. On the contrary, I have not a doubt that Lord Beaconsfield thought that the issue was certain, and that for every interest—for the interest of the country, for the interests of his Party and his own—the sooner the goal was reached the better. He might have, I believe, taken the same course of prolonging the contest on the Land Bill of 1870; and that Bill, relatively to the circumstances in which it was introduced, was quite as great an innovation—quite as daring a measure of remedy—estimated with reference to what went before, as the present Bill when regarded with reference to the measure of 1870.

Well, what is intended to be done now? Do you who sit opposite think—is there any one of you who thinks—that this question will ever be settled by a measure smaller than the Bill before the House? And if by powerful combination, beginning below the Gangway, among a limited number, but still not of unimportant persons, and carried on elsewhere with stronger ties and ramifications—if you thus succeed in overthrowing this Bill, and the Government which attaches its fortunes to this Bill, and if you take their places, you will pass, not a smaller, but a larger measure. Nor am I the first person who has said this. I know not if the hon. Gentleman the Member for the City of Cork (Mr. Parnell) is in his place. [A VOICE: Yes.] I hold in my hand a speech which he delivered on the 6th of December last at Waterford, and which I read with great interest; but I am not going to quote from it for the purpose of making any charge against him. It was perfectly natural for him to say what he did. He began by predicting that if Mr. Gladstone should proceed to legislate on the Irish Land Question he would infallibly break up his Cabinet, "and that," he added, "would be rather unfortunate, or it may seem to be rather unfortunate, for us; but I do not think the event will prove that it is unfortunate for us." He goes on to say that for England it would be unfortunate; but for him, with his views, it would not be unfortunate. The meaning, Sir, is plain. The hon. Gentleman knows well that if the Party opposite came into Office they would, under pressure, as they have done before, bring in a larger Bill than this; and that the words "Fraud, force, and folly," as applied to the three "F.'s," would gradually dwindle and grow pale, and that the hon. Member might wave his flag of triumph over a measure passed by a Conservative Government of which, perhaps, some Conservatives would themselves be heard to say, the landlords scowling in the background—"How much more liberal a measure it is, after all, than that which was brought forward by the Liberal Party."

But hon. Gentlemen opposite are judges of their own conduct. The matter, however, is one of a serious character. We are playing with edged tools in the state Ireland is now in. There is not a step which we have taken in reference to this measure which has not been taken under an overwhelming sense of responsibility. We do not mean to trifle with that which we have taken in hand. You must judge of your own duty; we must judge of ours. We shall use every effort legitimately belonging to us: first, to pass this Bill; secondly, to pass it speedily; and, thirdly, to pass it in an effectual form. My right hon. Friend (Mr. W. E. Forster) has been charged, I think needlessly—I do not see that his words give the slightest colour to the charge—with having given an intimation that we should haughtily refuse to discuss Amendments in the Bill. No, Sir, we have no such intention. I am not looking to one quarter of the House in preference to another. In proportion to our intense anxiety to be the bearers of some message of peace and good to Ireland is our willingness and desire to receive, from whatever quarter it may come, assistance in bringing the Bill as nearly as may be to perfection. We are not so vain as to think our first effort within the walls of the Cabinet room enable us to dispense with all the criticism, suggestions, and improvements which the intellect and ingenuity of this great Assembly may furnish. But permit me to say—and I hope I shall not be misunderstood—not on the ground of any will or decision of ours, but because of the logical laws of events, that nothing appears to me so unlikely as that the Bill should be to any great extent changed. Were it to be vitally and fundamentally changed, in the sense of the Amendment of the noble Lord the Member for Haddingtonshire, the people of Ireland, it may be assumed, would reject it as one man. But there is another construction to be put on the suggestion of change, and I have to suppose the case of a fundamental alteration in the sense which a portion of the Irish Members may desire. In considering that matter, among other points, I cannot exclude from our consideration that the settlement of this question does not depend on the judgment of this House alone. There is another Assembly which we must confront, where we are in a small minority; but, which will claim, and is constitutionally entitled, to give its independent vote on the provisions of this Bill. If we hold by those provisions, I am so confident of their general character—I am so deeply persuaded of their general moderation, as well as efficiency—that I feel we can with a good conscience and with a sanguine hope address ourselves to whatever duties may belong to us for the purpose of the prompt passing of this Bill. But, if they see we are prepared to alter its character, in what is called the popular sense; and, having brought it in as one measure, to send it up to them as another; most justly might those who will have elsewhere to pronounce upon it say—"We are dealing with a set of men who do not know their own minds, and we refuse to defer to their authority."

I am therefore well convinced that the nature of this Bill, although it may be open, as I have admitted, to criticism in some particulars, is nevertheless of such a character that the ultimate choice of Parliament will be between the Bill in its essence or nothing; between the acceptance or the rejection of the Bill as it now stands. As I have said, we on this side will not shrink from the performance of our part, for if we did there would be no condemnation too severe to pass on us for our rashness and temerity. At this crisis I gratefully acknowledge the spirit in which this Bill has been generally received in Ireland. The landlords of Ireland showed in 1870 that they were not deficient in penetration. They were, I believe, at that time as much as they are now under the impression that their true interest is to have this question settled, and to have it settled at once. I gratefully acknowledge the generous reception which our proposals have received in Ireland. They have been received there as by men who have felt the force of the evils pressing upon them, and who were desirous of hailing the advent of whatever would give fair promise of offering a remedy. Let that generous reception in Ireland be met by a corresponding feeling on this side of the Channel, and within the walls of these great Legislative Assemblies. Then the year 1881 will not have passed away without adding to the Statute Book another great emancipating and redeeming measure, necessary alike for the prosperity of Ireland, the fame of Parliament, and the strength and solidity of the United Kingdom.

**Mr. FITZPATRICK** said, in rising to discuss the measure before the House, he must explain that he considered that in that Bill there were three Bills:—1st, one having for its object the extinction of the landlord by creating a new law of land tenure; 2nd, a Bill for creating a peasant proprietary; and, 3rd, a Bill for the reclamation of waste land and the carrying out of emigration. In examining No. 1 Bill, the new law of tenure, he confessed to a natural nervousness in daring to discuss or attack a measure which, up to then, had apparently puzzled even its own foster parents, if not its originator; but as very little light could be thrown upon it by anyone, he must only conclude that it was a vast web of law, in which the unfortunate landowner was to be entangled and slowly sucked to death by lawyers, Land League, and statesmen, who would thus be enabled to buy up his property at a cheap rate so as to carry out Bill No. 2 without much cost to the Exchequer. If the Bill was really meant as a remedy for the state of Ireland he could only say that, as an Irishman, he felt a deep sense of shame and astonishment that any such antediluvian measure should be deemed necessary to insure the prosperity of their land. They had always been considered a shrewd, quick-witted nation. Their countrymen had always been supposed to be good hands at a bargain; and he, for one, believed they were so still; but the Bill before the House upset that theory altogether. It assumed that an Irishman had no knowledge of a bargain, no spirit of commerce or dealing. In point of fact, the Land Law (Ireland) Bill, with its three Judges, was to stand for the next 15 years *in loco parentis* to the whole nation. Now, possibly, this might, in some cases, be advisable. Some of their wayward fellow-countrymen did require guidance, and a check on some of the mischief done by their idle hands would be very useful; but why, might he ask, was that newly-created father not to take into equal consideration the good and the evil, the just and the unjust? The Premier had told them that the Irish landlords had stood their trial, and had been acquitted; but, at the same moment, and in almost the same breath, he mulcted the whole class he had just applauded to the amount of many millions. He said a few had not discharged their duties and had abused their rights. For their sins he would punish all. Did a just Government hang every man in a town because a murder was committed within its limits? That was not justice, it was not even expediency. It was merely the surrender of the moderate Liberal opinion to the wild Radical tail which was now the motive power in all Government actions. By the Bill before the House Government demolished piecemeal, and by studied legal devices the rights that had not only existed by prescription for centuries—his family had held the same land for over 900 years—but what was much more dangerous and unstatesmanlike, they confiscated boldly the rights, and actually a large part of the capital, which was paid for land under the Encumbered Estates Court, where an indefeasible Parliamentary title was given at each sale. What was the equivalent offered? The option of selling at a reduced rate to the Land Commission; that reduction being forced on the unfortunate owner not by a fall in the market value of his property, but by the action of the Bill itself, which, after fixing his rent on the most unequal scale, flooded the market with estates for sale. A Scotch Member of that House said, in an able pamphlet he wrote in 1869—

> "The faith of Parliament is pledged to the purchasers under the Courts that they shall be sole proprietors, with all the rights of proprietors, and it will be breaking faith with those proprietors if the Legislature deprive them of any of those rights which it certainly would do if the demands of some people in Ireland were conceded."

Those demands were now conceded, and the rights of those proprietors were now confiscated without any hint at compensation—the Premier himself having stated that there would exist, after the passing of this Bill, "a joint proprietorship in the soil." They were told that this measure was framed to meet Irish views. They were advised to accept it, because it was one of the first true attempts of England to meet the desires of the Irish nation. But what were the true facts of the case? Again a price had been placed on the landlord's head; a sufficient number had been shot; a good long reign of anarchy and agitation had paved the way to further concessions to the tenant, who had broken contract and renounced honest dealing; while the many landlords, who had done their duty throughout a dangerous and trying time, both by cause and country, were penalized without compensation, were condemned though acquitted. Did the Government realize what was the party to meet whose views that measure had been brought in? It consisted of all that was anti-English in Ireland, all that was violent and Communistic, and was numerically small. Were the opinions of the majority of real Irishmen not to be considered as well? Apparently not. At any rate, there was no trace of those opinions in the present measure, and even the strong, almost Radical, expositions of Mr. Stuart Mill and the present Chancellor of the Duchy of Lancaster (Mr. John Bright) were not represented. They, at all times, urged compensation for confiscation of the landlord's rights and privileges, as well as compensation for disturbance for the tenant; and he had reason to believe such clauses for compensation were in the Bill in the month of January, if not later. Judge Longfield, in one of the best articles published by the Cobden Club, always incalculated the idea of paying for what was taken from the landlord by the action of the State. He said in that essay, referring to the continued concessions made to agitation and murder—

> "Success acquired by such measures would not produce intended results. Riches acquired by fraud and outrage are not long enjoyed, for the qualities by which they are acquired are inconsistent with the qualities which are necessary to retain them."

They had had the outrage for the last two years. In that Bill they had the fraud; and it merely required time to produce the effect he predicted. Tenants would mortgage and spend their stolen property; the banks, the loan funds, the gombeen or usurer would grow rich, the tenant poorer; another wild time of famine and murder would force some future Radical Government to confiscate again what might be left to the landowners of that day, were they fee-simple owners of large estates or peasant proprietors. Such would always be the case. They were told in Her Gracious Majesty's Speech from the Throne that the Bill was intended as an Amendment on the Act of 1870. As he read the 1st clause, it was in direct antagonism to the spirit of the Act of 1870. In that Act the owner was incited to buy up his Ulster tenant right; in the Bill that custom was extended over Ireland. When he came to the institution of a Court to fix rents, he was met by the Premier's own words, in his reply on the second reading of the Bill of 1870. First of all, he asked—"How are these rents to be valued? What is the test?" In 1881 they had the answer. By estimating and deducting from it the value that he proposed to carve out of the owner's property by Clause 1, and by estimating, not the improvements done by the landlord, adding value to the holding, but by the amount of compensation for disturbance. He finished up with a sentence very appropriate to this Bill—

> "Two persons have a vital interest in the land. One of them is the landlord, who regards the estate as a whole, and who is very largely concerned in the development of its general prosperity; the other is the tenant, whose position it is desirable to simplify as much as possible, in order that he may be able to devote the whole of his resources and his capital, if he thinks fit, to the prosecution of his trade. But if you once adopt this principle to which I am referring, you cannot retain these two classes upon the land; the man who becomes a mere annuitant loses all general interest in its prosperity."—[3 *Hansard*, cxcix. 1848.]

The principles the right hon. Gentleman was there alluding to were free sale and fixity of tenure, and he (Mr. Fitzpatrick) would confess those words were quite sufficiently sweeping in their condemnation. He had very ably also pointed out the dangers of free sale, now that a tenant could not employ his capital in benefiting his farm if he had used it in buying up the interest. And, finally, he proved that the existence of two persons on the land was impossible, once they had made the landlord an annuitant only. As that was effected by the Bill now before the House, all Irishmen who owned property must come to the conclusion that it was the object of the Government to get rid of them in a body. He had no doubt the hon. Member for Cork City (Mr. Parnell) and his satellites were satisfied with that issue; but they, even, did not seem to consider the Bill clear on that point. Why, might he ask, was there all that beating about the bush? If the State wished to get rid of the landowners of Ireland, compensate them, and let them go; but do not let it be said they were driven out by legal fraud and Ministerial trickery. Why, even a Railway Company gave compensation for what it took, and also for the rights it invaded or confiscated. Could it be that the State of Great Britain was more niggardly than the Railway Companies, whom it forced to pay for what they appropriated? But, even supposing the owners expropriated, what was to be done with the labouring classes, numbering 1,444,700 souls? Were they to be left to the tender mercies of the new peasant proprietary? Anyone who knew the rural districts of Ireland was well aware that the only permanent labour given was that of the owners of large farms and proprietors. The average tenant farmer never employed anyone except as a servant boy, and even him not permanently. If they swept away the landowning class and put in their places the peasant farmers, they would not only be doing an injustice to that class, but they would have, in after years, two evils to content with—either a famine, and rates at 12*s*. in the pound; or else a further agitation, and most violent feuds between the labourers and the peasant proprietors. Even during last year, owing to the unsettled condition of the country and the enforced absence and poverty of many owners, the labouring population was in a wretched condition. No class in Ireland except the landowners took an interest in the labourer; he was of no value to the agitator or priest, as he had neither vote nor money; and he was a continual source of annoyance to the farmer, being often a burden on the rates in winter, while in summer he naturally exacted the highest wages he could command. He could not here help expressing astonishment that no provision had been placed in the Bill to deal with the labourers' case; and he hoped before the second reading was over they would have a distinct undertaking from the Ministry on the point. He thought that everyone was agreed that some definite explanation for the introduction of the unjust Clause 1 and its conjunctive clauses should be made by Her Majesty's Government before the Bill was read a second time; and he confessed that unless some definite assurance was given that, in Committee, compensation clauses would be inserted to meet the injustice done to landowners by the clause, he should, to the utmost extent, oppose the second reading. He could not but say that there were many points in the Bill which met with his approval, and which, though radically opposed as they were to all laws of political economy, and though the Bill was completely opposed to the Bill of 1870, and not an amendment to it, as suggested by its promoter, still there was much in it that might prove of value if it was carried out in the proper spirit. Referring to Clause 1, he found that no allowance was made for the fact that many landlords had persistently prohibited tenant right on their estates by freeing every incoming tenant from any claim by the outgoer out of their own pockets. They had done the improvements in many instances themselves, over £3,000,000 having been spent by landlords on improvements since 1840. They had kept their rents low for years in order that their tenantry might be thriving and prosperous. They had been acquitted, in the Prime Minister's own words; and yet, in the same breath, he mulcted them of a large portion of the value that their toleration, their kindness had conferred on the farms and their occupiers. He did not understand that injustice, unless it was that, in the hurry of compilation, a compensating clause was omitted. Let him take an example from an estate which he was best acquainted with in Ireland, and where he could produce documentary evidence to support what he said. The owner of an estate had expended in improvements during 40 years upwards of £25,000, and he had never charged interest or extra rent, except since the Act of 1870, and then only in about 10 cases out of 336 tenancies. He had paid in cash £16,000 to compensate tenants for improvements made by them, and to assist in emigrating outgoing tenants, so that no system of sales of tenancy might creep in. Lastly, out of 336 tenancies he had not raised the rent, except in 12 cases, during the last 20 years. The total value of that increase was £321 2*s.* 5*d.* out of an estate roughly estimated at £17,000 per annum. The owner had, as he had before said, never permitted the sale of interest by the outgoing tenant to the incoming one, as he had always considered it better for the farmer to have the capital in his own pocket instead of in that of a man who was off to America or the Colonies. Here they had the instance of a landlord who, to the best of his ability, did his duty. He had improved and reclaimed, and had never rack-rented. Now, what would be the result if this Bill became law as it now stood? Every farthing the owner had spent as capital invested in the land would go into the tenant's pocket, unless he chose to raise his rents or to force a sale under the Bill to obtain the value of his improvements. To exemplify his protest, he would take one case out of the 336 tenancies as it would stand under the Bill. A was the tenant, B the owner. A, the tenant, had held for 20 years, from 1860, at same rent. B, the landlord, at some period, say five years after the tenancy was created, provided A with improvements, buildings, drainage, &c., to the amount of £200. A enjoyed the interest of that £200 for 15 years at 5 per cent—say £150—and he held the land at the same low rent. This Bill becomes law. B, the owner, must either raise A's rent, which he may not desire to do, having no wish to disturb the friendly relations that have existed; or, what was worse, he might have to force a sale on A to obtain value for his improvements—£200. But, suppose no change were made, and things should go on as they were, then A, the tenant, might at any time sell his interest—namely, the £150 or more pound's worth which had accrued on the farm from B's moderation and good-feeling as to an owner's duties and rights. This was a particular case. Now, take the effect generally on the 839 estates tabulated by the Land Committee, where improvements had been done by owner and tenant; and on the 200 where improvements had been done by owner exclusively, making a total of 1,039 estates in all, with an area of 4,861,881 acres. To this could be added 466,610 acres, being estates of gentlemen who were known to do improvements, and to be kind landlords, such as Lords Fitzwilliam, Powerscourt, Monck, Portarlington, and others. This made a total of 5,228,491 acres, or over one-fourth of Ireland, in which owners had executed improvements. Rather a different result from the one-tenth, as stated by the Chancellor of the Duchy of Lancaster. Again, if they added to that the uncultivated land—4,630,000 acres — they found that, roughly, one-half of Ireland was represented in the tables. Numbers of estates were not returned which might be managed admirably; and, as town parks, residential farms, demesnes, and pastoral holdings for one year and under were omitted, he had no doubt that the case could have been made more powerful than it was if all those types had been included. In any case, he would merely refer for his argument to the 4,861,881 of which they had *data*, and on which improvements had been made by the landlords in the majority of instances, and by tenant and landlord combined in some others. Next, he took the acreage on which rents had not been raised for 20 years. According to the same tables, that was on 3,500,000 acres. If he added to that the same estates as before, which was quite fair, from everyone's personal knowledge of those landlords, they found that on 3,966,610 acres, or, roughly, one-fifth of all Ireland, the rents had not been raised for 20 years. Taking £1 per Irish acre as a low rent, and 30*s.* as an average letting rent, not a competition rent, they found that for 20 years at least the tenants on 3,473,098 acres had been benefiting to the extent of 10*s.* per acre for 20 years, making a total value of £1,736,549. That was merely the result on the few estates scheduled by the Committee; but how many millions it meant all over Ireland it was impossible to calculate, there being 19,000 owners of land in Ireland. Those millions, whatever the amount, were handed over directly to the tenant by the Bill. Then, if they took the two classes of estates together—namely, those where rents had not been raised for 20 years, and where improvements had been made at large by the landlord, and, to a certain extent, by the tenant—they could prove conclusively the injustice and spoliation of the measure as it now stood. But some might say that the owners on those estates might have raised their rents, and that it was their look-out now if they lost the value. Well, that sounded to him a very queer argument. Because a man had done his best to help into a solvent and peaceful condition a country such as Ireland was 40 years ago, struggling out of misery and famine, and because he had denied himself and sacrificed his capital and his lifetime to insure that issue, they now, when the true pressure of poverty was gone, except in the far West and South, and merely acting under the coercion of lawlessness, penalized and fined that man, and forced him, by their Bill, to adopt a different course of action, or to expatriate himself from the country to which he had devoted all. He said they forced him, because, by the action of the Bill, the issue on estates of that type must be as follows. He would take the case of a holding where the tenant had given assistance in improvements, but where the owner had done the actual building and drainage, and had not raised the rent for 20 years or added interest. If the owner, finding that all amenities between landlord and tenant were done away with by the Bill, determined to raise his rent to the new judicial value, not a competition value, he was placed in one of these utterly unfair conditions by Clause 3. Under sub-section 1, supposing the owner desired to raise his rent and the tenant accepted the increase of rent, the rise in the rent might cover, in a retrospective manner, the interest on the improvements made by the owner; but at any time during the statutory term, 15 years, the tenant had the right to sell the interest in his holding—that was, he could sell the value of the money the owner had left in his hands for 20 years; he could sell the difference between the actual low rent paid for 20 years and the rent that might have been obtained. But supposing the tenant did not accept the increase of rent, but sold his interest, what happened was this—He received the full value of the owner's money left out on the farm for 20 years, owing to the fact of its being a low rent, and, should the Court think fit, they could fine the owner 10 years' value of the increased rent he had demanded. That was, to his mind, the worst case. Then, supposing that the tenant did not sell, and did not accept the increased rent, but demanded compensation for disturbance. What was the effect? To show it clearly, he must refer to his first case. There the owner had a farm valued at over £100—say £150; he had effected £200 worth of improvements, had not raised rents during 20 years, and had not charged interest. The Court, in deciding the tenant's compensation, deducted, first, the £200 worth of owner's improvements from the compensation due—namely, £450. That was three times the rental, and he would add £50 as improvements made by the tenant, making £500 due to the tenant and £200 due to the landlord. The tenant, therefore, received £300 in cash after he had benefited for 20 years from the low rent asked by the owner, that £300 being in addition to the interest on the money which the owner had left on the farm for 20 years in the shape of a low rent. If that was calculated in the same way as before—namely, £1 per acre low rent, and 30*s.* the full letting rent, he found that on a farm valued at £150, and of 150 acres area, each acre let at £1, the dead loss was for 20 years £1,400, so that the tenant received that as well as the £300. But supposing that the tenant refused the increase of rent and took the owner into Court. A rent was fixed for 15 years, the improvements he had made were not taken into account, and he had to look forward to the day when the tenant might sell and receive compensation in some shape. The tenant meanwhile enjoyed the interest of the capital sunk by the landlord in the farm for 15 years, at any rate, and possibly for as many more. If that was true British justice and fair play he was much surprised. The people were at present demoralized, and a Court which might have worked pretty well two years ago would not work well now. The cry at present was "Griffith's valuation," and the cry in future might be, "Down with the Court which decided that more should be paid." The present period of 18 months before a landlord could re-enter was too long. He thought it might with advantage be reduced to six months. As to the general effect of the Bill, did the Government imagine it would stop crime? It would be many years, he feared, before the country got back to the state it was in four or five years ago. But he had still confidence in his country. He had stuck to it all his life, and he trusted, if the Court did issue its mandates, the landlords would do their best by the tenants in the best spirit. As to peasant proprietors, by all means let there be a yeoman class if they could create them; but he thought harm would be done if they forced the large farmer to buy bit by bit. As to reclamation of waste land, he suggested that a large scheme of draining the large river basins should be entered upon; but he doubted entirely whether they would induce Companies, with the prospect of another agitation, to upset their property and the money embarked, to engage in the work. He rejoiced that there was to be no compulsory scheme of emigration. He regretted nothing more than to see his poor countrymen sent out of the country, and driven out of their homes. Nothing did so much harm. As Sir Robert Peel said—"These men go to America, but they will come back some day;" and that had proved true. They had come back many of them, and they were a great danger. Emigration ought not to be left to chance. Emigration should be carried out in families or in communities. The land of their adoption should be marked out for them. Their spiritual advisers should receive them. If emigration was carried out in a liberal spirit there would not be that bitter feeling which at present existed among emigrants. But the Bill said they were all to go to the British Colonies. If there was one thing that angered an Irishman it was to be told to go to the British Colonies. Tell him that and he would certainly go elsewhere. In conclusion, he would say that there were many portions of the Bill which he could willingly accept. He thoroughly agreed with the proposals with respect to compensation, the reclamation of waste land, and the establishment of a peasant proprietary. At the same time, he could not but think it would be in some respects unworkable and unjust to the good landlord. But if the Government wished to deal with the question in a satisfactory manner there was one thing above all to which he thought they ought to turn their efforts, and that was the utter suppression of the mischievous action of the Land League.

COLONEL COLTHURST said, he would not have ventured to follow so close upon the Prime Minister had it not been that in spite of the Prime Minister's speech the hon. Member for Portarlington (Mr. Fitzpatrick) had repeated the same arguments which they had heard from hon. Gentlemen opposite with regard to tenant right outside of Ulster. If the hon. Gentleman would not accept the Prime Minister as an authority he would give him another—namely, Judge Longfield. That eminent Judge had been a Land Reformer all his life, and was a strong opponent of the Land Act of 1870. Now, however, after seeing the working of that Act, and with full knowledge that Parliament was about to legislate on the subject, Judge Longfield maintained that as that Act recognized the claim of a tenant to compensation for disturbance Parliament should have gone further and prevented eviction, except for some causes, and then only under the directions of some tribunal. Thus a tenant would have fixity of tenure, and then the rent must be regulated by the tribunal. That being so they could not prevent a tenant selling his interest to the best advantage, and therefore he would have the "three F's," free sale being the least objectionable of them. The present Bill was not a new departure; it was based upon the Land Act of 1870. He did not think it was extravagant to estimate the tenant right as worth seven years' purchase, considering that it had been put as high as 10 years by some very competent authorities, and that as the direct result of the Act of 1870; but he was afraid that if the question of arrears was not relegated to the Courts the Bill would be greatly marred. He hoped, also, that all leases made since 1868 would be subjected to the revising power of the Court. In 1868 some landlords began the practice of forcing leases upon tenants in anticipation of the Act of 1870, and since 1870 a considerable number of tenants had been compelled to accept leases exacting a rack rent. It would, therefore, be a great flaw in the Bill if those tenants were left without any protection. Turning to the question of the reclamation of waste lands, he said he believed that the clauses dealing with that subject would be almost inoperative. They could hardly expect to see Companies formed for this land reclamation. The work of reclamation ought to be undertaken by a Public Department; but when done on a small scale it should be by the efforts of the tenants themselves. He regretted that no provision was made in the Bill for arterial drainage. Whatever opinion they might form with regard to the respective faults and merits of landlords and tenants, there could be no doubt whatever that arterial drainage was an absolute necessity in Ireland; and he hoped that the question would be considered by Her Majesty's Government. There was another point to which he wished to call attention, and that was with respect to the lending of money for agricultural improvements. The loans for land improvement were entirely out of the reach of the tenants, because the law required 40 years of an unexpired lease, and they all knew that such a tenure was very rare in Ireland. He hoped Her Majesty's Government would insert a provision in the Bill enabling statutory tenants under this Bill to obtain loans for agricultural improvements, and he was sure the happiest results would follow. In conclusion, he would merely observe that the right hon. Gentleman at the head of the Government had fully justified the confidence which the people of Ireland had placed in his willingness and ability to deal in a satisfactory manner with the Land Question; and he ventured to hope that the power and confidence which the right hon. Gentleman possessed would pilot the Bill through the discussions that might await it in that House, and send it from the House with a momentum which would cause it to surmount any obstacles that might meet it "elsewhere."

Mr. RODWELL said, he thought he ought, as a Member of the Richmond Commission, to offer a few remarks to the House on the Bill under consideration. There was a marvellous unanimity on the part of those who had addressed the House, with the single exception of the noble Lord (Lord Elcho), as to the necessity of some legislation on the Land Question, and of the grievous consequences which would ensue if some legislation did not take place. He could not support the Amendment of the noble Lord, because it was founded entirely upon unsatisfactory premisses. The noble Lord, in a most uncompromising speech, held stoutly by freedom of contract; but there was no freedom of contract in Ireland with regard to land, so that no parallel could be formed between freedom of contract in England and Ireland. From the evidence he had heard and read he had come distinctly to the conclusion that landlord and tenant did not meet on equal terms in drawing up contracts, and there could be no real freedom of contract where the parties did not meet on equal terms. The evidence taken before the Commission showed that excessive competition for land, the unreasonable payments for tenant right, the arbitrary increase of rents, the overcrowding of the population in certain districts, and the minute sub-division of farms were the chief causes of evils to be dealt with. For 100 years Ireland had suffered severely from bad and oppressive laws. We must cast off our prejudices in favour of English law; it was an exotic, and would not flourish on Irish soil. His sympathies were strongly with the Irish people in the matter, and he was anxious to approach the question in a fair and impartial manner. With respect to the fixing of a fair rent, he was bound to say that, in his opinion, it needed a little more than the value of works done by the tenant. It was a matter of principle, and was shadowed out by one of the most intelligent and able of Irish landlords, Mr. Kavanagh, when, in his Report, he advocated a reference to arbitration. That gentleman had given it as his opinion that in all cases where the landlord and the tenant could not agree as to what was a fair rent the matter should be left to arbitration. But that was one of the things which the Bill did not propose to carry out. He must say he was surprised to hear the Prime Minister state that the Bill would put the landlord and the tenant in the same position. If the parties came to a mutual agreement that would be so; but if they could not do so, then the only chance of appeal given to the landlord was to resort to the odious step of raising his rent. In that respect the Bill appeared to him to be a very one-sided measure; it certainly failed to carry out the arbitration contemplated by Mr. Kavanagh and other Commissioners. The Report went on to say—"We view the affording of such security as necessary," and what that meant was security against the capricious raising of rent; security against capricious evictions; security against the landlord taking advantage of the tenant's improvements; and security against the tenant's greed for land. The disease which prevailed in Ireland, and which had led to the injurious agitation which had prevailed, was a hunger, a greed for land; and, therefore, the security he spoke of in the Report was security against all the things he had just stated. With respect to the "three F's," they had been supported by many witnesses, but by none of them to the extent demanded by the Home Rule Party. It was very much a question of degree. The "three F's" might mean a great deal or very little. They might mean no rents or low rents, perpetuity of tenure, and perfect Parliamentary freedom to the tenant to do what he pleased with his land. On the other hand, the "three F's" existed already in the relations between English landlords and tenants. The tenants held at fair rents, they had fixity of tenure during the term of their leases, and they were entitled to something beyond the value of the improved rent they made the land worth by their capital and industry. The "three F's" had frightened a great many people; but they were not, he thought, so very formidable after all, when qualified so as not to do injustice to either party. But the "three F's" provided by the Bill went far beyond the recommendations of the Richmond or the Bessborough Commissioners, and even beyond what Lord Carlingford recommended, and that noble Lord was Chief Secretary for Ireland at the time of the passing of the Act of 1870, and in doing so it created a difficulty in the way of those who desired to assist the Government in this matter. The right hon. Gentleman the senior Member for Birmingham (Mr. John Bright) spoke of the safeguards which the Bill provided; but he had not enlightened the House as to what those safeguards were. No attempt had been made to explain what the safeguards really consisted of, although the question had been asked from each corner of the House. Again, the right hon. Gentleman spoke of the "concessions" made by the Bill to the tenants. The Bill could make no concessions. What it did was to compel the landlords to make concessions, making them give up what they were unwilling to yield without some compensation. Later on the right hon. Gentleman said—

> "The Bill is intended to guarantee to the tenant the value of his improvements, and that he should have a certain security in the defined value of his holding."

Why, that was the very thing as to which for seven nights the House had been asking an explanation. The security was uncertain and undefined at this moment. The brilliant speech of the right hon. Gentleman the Prime Minister left them just as much in the dark as they were before. He (Mr. Rodwell) had been occupied a great many years in construing Acts of Parliament, in preparing clauses, and in dealing with clauses; but if asked his opinion as to that part of the present Bill, he confessed that his opinion would be worth nothing. The fact he had stated he could assure the Government created a difficulty in the minds, not of the opponents of the Bill only, but in the minds of its supporters as well. Tenant right was the turning point of the Bill, and on this point it was worth while referring to something which had been written by the Postmaster General in his treatise on political economy. He said that the whole question of justice or injustice, as regarded anything more than the remuneration of the outgoing tenant for any improvement he had made, turned upon the consideration whether the goodwill of the occupation belonged to the landlord or the tenant; and he added—"We think it is the sole property of the tenant." What did the right hon. Gentleman think of the tenant right proposed by the Bill? It was not defined; it was not pretended it was goodwill; it was an undefined something, an additional value to the property which might be owing to other causes than the capital or the exertions of the tenant; and the learned Professor said it belonged to the landlord and not to the tenant. One reason why he could not support the

Bill was that he could not support the provisions as to fair rent. He agreed with Lord Carlingford that in fixing a fair rent the Court should consider the buildings, fences, and other permanent improvements provided by the tenant, and that the Court should also take reclamations into account, unless the tenant had enjoyed them for a period or at a rent which had enabled him to recoup himself. But there was no such indication of fair rent in this Bill; and the late Attorney General for Ireland had discussed this question, adducing figures to show the injustice of the proposal which had never been met or grappled with. As to free sale, all the witnesses before the Commission broke down when they were pressed to support unlimited free sale, and, at the same time, justify the limitation of the rent which the landlord could get from a tenant. Professor Baldwin struggled hard, but ineffectually, to support his position on this point, and Major Robinson disagreed with the contention of Professor Baldwin. The point had not been sufficiently discussed in this debate. If it was wrong to encourage the landlord's greed by allowing him to extort what rent he could, how could they justify encouraging the tenant's greed by allowing him to sell the goodwill at a preposterous price? The system could tend only to make the worse form of rack rents, and to tempt tenants to borrow money from usurers at ruinous interest. Such a system was injurious to every interest; and, therefore, he thought the provisions as to free sale were the most objectionable part of the Bill. With these in it, he could not vote for the second reading. No doubt, there was land in Ireland which was not cultivated, or only partially cultivated, which would employ and feed a part of the population; and, though the Bill did not do all that might be desired to promote this object, it ought to have a chance of being made acceptable in Committee. There was evidence from a great number of landlords that some Bill was a necessity, and that legislation must take place. None could defend or wish to promote such relations of landlord and tenants as were admitted to exist in the case of the Portsmouth estates. Lord Portsmouth did not live on the property; he did not discharge the duties nor exercise the rights or privileges of a landlord; and when things were reduced to this state, and the landlord became a rent-charger, the sooner a sweep was made the better. The Prime Minister, in introducing the Land Bill of 1870, had loudly protested against such a calamity. The Bill ought to amend such conditions, and it ought not to bring them about. He could not shut his eyes to the gravity of the occasion. He would not take upon himself the responsibility of putting any impediment in the way of the Bill being read a second time; but he could not vote for the second reading. Free sale had been one of the causes of the mischief specified by the Richmond Commission, and he was asked to say it was to be one of the remedies; that was an inconsistency he could not be guilty of. He would endeavour to assist in amending the Bill in Committee, and in providing some of those safeguards to protect the interests of landlords which were hinted at in the first speech of the Prime Minister, but were not to be found in the Bill.

DR. KINNEAR said, he was anxious to put before the House what he believed to be the impression in Ireland in regard to this Land Bill, which was designed to remedy the evils from which Ireland was now suffering. They were all aware in that House that the demands for legislative reform of the Land Laws of Ireland had been very loud and very long; but now that this Land Bill had been introduced into that House there was a measure of satisfaction over the entire of Ireland, and especially over that portion of Ireland with which he was best acquainted. He shared in the feeling of gratification which was felt in Ireland at the introduction of the Bill, because he was fully persuaded that the peace and prosperity of Ireland entirely depended upon the legislative adjustment of this question. Intimately acquainted as he was with Ireland, he would go further, and say the firm conviction of his soul was that the loyalty of Ireland depended upon the legislative adjustment of this question. It had been no ordinary call with regard to the necessity of this Bill. Landlords and tenants in Ireland could not be left to settle this question among themselves. He could testify that the universal consensus of opinion in Ireland was favourable to legislation. He had been privileged to hold conversations with large numbers of intelligent gentlemen of the tenant farming class, and he had been privileged to attend some conferences upon the Land Question, and especially upon the question of this Bill, and in these conferences they enjoyed the fullest and frankest of thoughts and sentiments. He had had the honour of receiving a large number of letters from all parts of Ireland suggesting improvements, and suggesting where provisions might well be left out, and he was in a position to testify to the universal consensus of opinion in that country in favour of this Bill. It was desirable that there should be something like unanimity within the walls of the House, that they might frame the Bill when it got into Committee in accordance with the wants and requirements of Ireland. He had looked into this Bill with considerable attention. He had not been able to look at it with a legal eye as many hon. Members in that House had been able to do; but with the light of his own understanding he had looked at it from the standpoint of humanity. He had carried into the study of this Bill his feelings of common sense, and he had come to the conclusion that the Bill was framed in the most generous spirit, and that it honestly aimed at a full and adequate settlement of this question for Ireland. It was seen that this Bill had not met universal acceptance out-of-doors. What Bill ever brought into the House had ever received universal acceptance out-of-doors? One thing they knew—that it incorporated a principle of vast importance to Ireland, and it was a principle which formulated concessions of unquestionable value. He looked upon the Bill as one of the best boons that Parliament ever conferred upon oppressed Ireland. Now, he would not conceal it from himself, nor should he conceal it from that House, the conviction of his mind that there were defects in the Bill, and that some portion of the machinery was exceedingly cumbrous in its operation. There was a general desire from Ireland that when this Bill got beyond its present stage and into Committee all these difficulties would be more or less removed. There was very general satisfaction over the entire Kingdom of Ireland that these principles for which they had been so long contending were in some measure recognized by this Bill—that they had attained the prominency to which they had now reached, standing at the forefront of the practical politics of the day, patronized by a strong Government, and sympathized in by the whole Liberal Party of the British Empire. It was a compliment to the inhabitants of Ireland that all these principles conveyed in the term commonly known as the "three F's" were in some measure recognized by this Bill. He should not enter into a discussion of the Bill at that hour, but would merely refer to the general satisfaction which was felt in Ireland over the facility that would be afforded by this Bill for the extension of the Bright Clauses of 1870 and the great principles of peasant proprietorship, which had been looked forward to with such great anxiety throughout Ireland; and there was a hope expressed that when this Bill got into Committee the Government would be induced to grant where required the whole of the purchase money, so that the peasant might arrive at this happy and triumphant stage. The tenant right already recognized by the Act of 1870 ought to be sufficient security for lending where required the whole of the purchase-money. He was opposed to the emigration clauses, and advocated migration from densely populated centres to unreclaimed lands, for the advantage of such a course to the British Empire would be indescribable. Thousands of homes would be created in this way, peasant labour would be utilized to a large and profitable extent, the national wealth would be largely increased, and he was convinced of it that the theory of an almost periodic recurrence of famine would be exploded. He regretted that in the Bill there was no attempt to deal with absentee landlords, who were draining the country of its thousands of the hard-earned savings of the people. He also regretted the absence of all reference to the London Companies and the anomalous position they occupied in Ireland, and begged to intimate that he would call attention to that subject in Committee on the Bill.

Sir JOSEPH M'KENNA said, he would admit that the Bill was framed with benevolent intentions towards the Irish tenant class, and not without a statesmanlike view of their case; but he denied that the Bill was adequate to the occasion, because it contemplated no subsidy whatever from the State to carry it into effect, while it purported to deal with the rights, without trenching on the pecuniary interests, of the landlords. What he complained of was, that the Bill did not trench upon the rights of the landlords sufficiently to settle the question, and did not compensate the landlords for rights it took away—a thing which ought to be done for the sake of the tenants themselves. He regarded this Bill pretty much as he would a Bill in Chancery designed for the protection of one party at the expense of another, and promoted by a third, who was the real offender; but who came forward, without any tender of restitution on his own part, with a scheme of settlement to get rid of disturbance. He would not speak in enigmas. The real offender in the case of Ireland was the English Government, not the present Administration, but the English Government in its wide and permanent sense, which left out of account altogether that it was bound to make restitution. By means of a fiscal system at once insidious and oppressive, it had, within the last 30 years, drained away from Ireland unjustly £3,000,000 a-year more than the proportion which Irish taxation ought to bear to the taxation of Great Britain. The sum in excess of her fair quota absorbed from Ireland during the last 30 years amounted to three times more than would suffice to settle this question on principles which would commend themselves to every just and impartial man in Ireland. Ireland was almost wholly an agricultural and a pastoral country, and all the burdens that had to be borne by her must come from the produce of her soil and the industry of her inhabitants. The amount which remained for the support of the tillers of the soil and the profits of industry could not be more than the value of the produce minus the amount carried away for rent and taxation. The radical difficulty and unsoundness at the bottom of the Irish Land Question was one of Imperial misgovernment. Yes, he repeated, the evil was one of Imperial misgovernment. Misgovernment by misadventure and from ignorance, he was prepared to admit, and not misgovernment of conscious tyranny. He would explain the case as it appeared to him. The difficulty on the surface was that the landlords of Ireland, under the terms of lawful contracts, in a considerable number of cases, claimed from their tenants higher rents than the tenants could afford to pay; and the exactions of the landlords, enforced by eviction or legal proceedings of some kind, were resisted by the tenants as inequitable, and opposed to natural justice. That was the difficulty on the surface. There was this also—sometimes the rent demanded was too high, but was not quite impossible of payment. The law, as it stood, said to the tenants—"You must pay your rent according to your contract, or give up your holding should the landlord desire it." This Bill proposed to meet such cases, and said there should be in future a new valuation, a new tenure, and a judicial rent superseding contract. He should observe this Bill would be wholly illusory if it did not, in a large number of cases reduce the rents which the landlords had been heretofore receiving, and might receive again except for the passing of this law. If they could convince the Irish people that the effect of the Bill would be merely to raise some rents and to lower others a little, and to give security of tenure for 15 years, subject to a new valuation, the Bill would not have found so good an acceptance as it had. A great deal more must be done for the tenants or the Bill would be no settlement at all. But, whatever they did for the tenants, if they trenched on the rights of the landlord, they ought to compensate him in some way for the rights they took away. It was probable that the landlords who had not raised their rents since 1852 would find themselves in no difficulty under the Bill, because the rents for 1852 were fixed on a scale of market prices much lower than the market prices at present. But the difficulty they had to contend with in Ireland was this—that, ignoring the process of impoverishment silently going on all the time, landlords had been increasing the rents, and tenants agreeing to pay those enhanced rents, without recognizing the fact that the conditions under which they lived were completely changed in consequence of the enormous additions to the taxation of the country. The valuation of 1852 was expressly based on a schedule of prices. Since that time prices had risen very considerably, as was shown authoritatively by the figures quoted in the Schedule to the Bill introduced by the Chief Secretary for Ireland in the year 1877. While prices were thus advancing, the landlords were raising their rents, solely on the ground that the value of agricultural produce was enhanced; and persons who were not conversant with the statistics of Irish taxation might ask why that did not afford a sufficient reason for the action of the landlords. He wished to settle that question, and, at the same time, to show that the English Government was the real defendant in the case. The apparently anomalous fact that the value of land had not risen simultaneously with the rise in the prices of agricultural produce was due to several causes. Everyone knew that a heavily taxed people were not able to pay very high rents, and it was equally notorious that the taxation of Ireland had enormously increased in the last 30 years. In fact, so greatly had it grown during that period that if the whole Imperial taxation of the country were converted into Income Tax, the amount would be *5s. 3d.* in the pound, whereas a sum of *2s. 7d.* in the pound in Great Britain would discharge the entire taxation. That was a grievance that had nothing to do with ancient wrongs and bygone days of oppression, but had grown up altogether in our own times. Actually within the last 30 years, the taxation of Ireland had been increased per head of the population in the proportion of 120 per cent, though the real increase was 75 per cent, the diminution of the population accounting for the difference for the remainder. On the other hand, the taxation of Great Britain had been reduced during the same time by 6 or 7 per cent. To put the case more cogently, the proportion of taxation that a country could bear was absolute, and not relative. The 2 rupees paid per head in India weighed more heavily on the population of that country than would the same amount on the people of France or Great Britain. And so, with respect to Ireland, the actual taxation of Ireland was not greater than that of Great Britain, but relatively it was quite as great. In order to take a proper view of the country in the present day, it was worth while to notice the normal taxation as far back as the year 1841. A Parliamentary Return epitomized his argument, and showed that in 1841 the taxation per head of the population of Great Britain was £2 *9s. 9d.* and of Ireland *9s. 6d.* Between 1841 and 1851 the great Famine occurred, and the population was very much diminished. The taxation during that decade remained about the same. In 1851 it rose to *12s. 2d.* per head of the population, and he did not complain of that; but in 1861 it advanced to £1 *2s. 1d.*, and in 1871 to £1 *6s. 2d.* During that period the taxation had been greatly reduced in Great Britain. In consequence of the increase of taxation in Ireland, the tenants were unable to pay their rents. The gross revenue raised by taxation in Ireland, which was less than £4,000,000 in 1841, had risen to upwards of £7,000,000 in 1871. The only reason why he had ever advocated a separate Parliament for Ireland on the Federal principle was that he believed it was impossible, in the absence of some system of Home Rule, to make a fair distribution of the means of the two countries. But the Government did not propose to review the system of taxation in Ireland. Instead of doing so, they affirmed what was not the fact, for they affected to say that this was a question between landlord and tenant. When the Chancellor of the Duchy of Lancaster found travellers weary and stricken who had fallen among thieves, he did not treat them as the good Samaritan; he did nothing for them, not even giving them *2d.* in the way of a loan. He contended that if justice was to be done to Ireland, it must be done in such a manner as to administer the taxes raised in Ireland just the same as if there existed an Irish Parliament. No matter how the subject was viewed, the same lesson was learned in the end—namely, that Ireland has been impoverished by Imperial taxation. [" No ! "] He said " Yes." He maintained it was now the duty of the State to use the means which it had already drawn from Ireland in excess of her fair quota to take largely the landlords' right, and constitute a yeomanry with perpetuity of tenure, a moderate rent, and to indemnify reasonably the owners of property who had to surrender a portion of their inheritance for the public good.

MR. SPEAKER reminded the hon. Member that he must keep to the Question, which was the second reading of the Land Bill.

SIR JOSEPH M'KENNA said, he would conclude his observations by repeating that, in order to settle the Land Question, the Irish people were entitled to a liberal grant from the British Parliament.

Colonel STANLEY: Sir, during the time I have had a seat in this House I have never felt so deeply the responsibility of addressing the House as upon this subject. I desire to explain in a few words why I and those who act with me think it necessary to vote against the second reading of the Bill. I must, in the first place, make the avowal that it is with some hesitation on my own part that I came to such a conclusion. I know perfectly well that misrepresentation is likely to be made upon the subject—I know the course I have indicated is open to the interpretation that we on this side of the House are not prepared to consider circumstances as they exist, and that we do not consider any legislation necessary. That is a view of which I cannot approve. On the other hand, it seems to many, who entertain, as I do, a strong opinion against both the wisdom and the expediency of some of the fundamental principles of the Bill, that it is more straightforward to vote against it at this stage than to allow it *sub silentio* to be read a second time under the tacit understanding that we accept it as something which may be turned into an entirely different creation in Committee. The Prime Minister, with a perfect fairness from the Parliamentary point of view, endeavoured to pin those who had spoken against the measure to the terms of the Amendment moved by the noble Lord the Member for Haddingtonshire (Lord Elcho). But I would point out that, under the Parliamentary conditions of the case, there are only three courses open to us—namely, to vote for the Bill, to refrain from voting altogether, a course which, I will venture to say, considering the magnitude of the question, is hardly consistent with decency, or, lastly, to vote against the Bill. I look at the Bill as a measure of administrative reform. I was very much struck with the manner in which the Prime Minister this evening plunged into a defence—or, rather, a repudiation—of the term "confiscation" as applied to this measure. The right hon. Gentleman seemed to find some consolation in the fact that that word has been used on other occasions, and particularly during the passage of the Land Bill of 1870. Then the right hon. Gentleman went on to ask whether that Bill did, in point of fact, injure the property of the landlord? Well, I will give an answer to that question, and the witness I will call into court is one to whose opinion I believe hon. Gentlemen opposite will give full weight—namely, Judge Flanagan, one of the principal Judges of the Landed Estates Court. In examination before the Select Committee on the Land Act of 1870, Judge Flanagan was asked whether the value of land had risen or fallen since the Act had been passed; and his answer was that, taking price as a test of value, it had not fallen, but that if the Land Act had never been passed it would have commanded a higher price than it actually did, inasmuch as the price of beef, butter, and other commodities had in the interval greatly risen. From that opinion we may draw our own conclusion as to the effect which the present Bill will have upon the property of the Irish landlords. The right hon. Gentleman went on to say that if the State found it necessary to take what are termed confiscatory measures, it was no more necessary to give compensation than it was in the case of the Church Patronage Bill which passed into an Act a few years ago. The right hon. Gentleman argued that confiscation in that case took place without compensation having followed; but how do the facts stand? If there was confiscation in the Scotch Church Patronage Bill, compensation was proposed in the clauses of the Bill; and, as a matter of fact, some of the lay patrons availed themselves of that compensation. We have had to-night some important admissions upon the point, in an explanation of which the House has been waiting for seven nights with some anxiety. I am not one of those who believe in what is easy to say and difficult to refute—that the Cabinet has been disunited upon that or upon any other point. I have heard Cabinets spoken of as disunited, which were entirely in accord, and it is difficult to prove such things, except that, in the present instance, we have actually the fact that one Member of the Cabinet has left them upon this measure. I have nothing more to say on that head; but I must call attention to one or two discrepancies with which I could not help being struck in the speeches which have been made during the debates upon the Bill. I think it would have been worth while for the Government to have spent some little time in agreeing upon some common course of argument, so that one Member of the Cabinet should not rest upon one part as the primary element in the Bill, and another upon another part. In the able and lucid speech of the Prime Minister, in which he had introduced the Bill, a great deal was said on the landlord and tenant clause of the Bill, and somewhat less on the clauses relating to emigration and the purchase of their holdings by tenants. This evening the right hon. Gentleman has spoken almost exclusively of the landlord and tenant clause, and referred to the other questions only by a passing allusion. The right hon. Gentleman went on to comment on the 7th clause; but even after the explanations of the right hon. Gentleman it is quite obvious that that clause will require to be cleared up, or at least considerably modified in Committee. The right hon. Gentleman the Chancellor of the Duchy of Lancaster has fallen foul of my hon. and learned Friend the late Attorney General (Sir John Holker) for having said that the Bill is difficult to interpret, and that it has been designedly so drawn. The right hon. Gentleman said that he had never heard of such a charge in all his experience being made against a Government. I observe, however, as a matter of fact, that the right hon. Gentleman did not say that the clause might not have been drawn in a simpler form. I have, however, a sufficiently high opinion of the Government draftsman to believe that he could have drawn the clause in a much simpler form if he had been allowed to do so. The right hon. Gentleman had said that evening that the Government are not proud of the workmanship of that clause of the Bill. It is true that the draftsman might have found himself in many respects hampered by the declarations of the right hon. Gentleman in 1870 in arguments which are still unanswered and unanswerable, and it seems to me that it would not be an unfair compromise if we on this side of the House agree to make no reference to the right hon. Gentleman's speeches in 1870 on the understanding that the Government consent to the modification of the clause. I say that notwithstanding that the hon. Member for County Cork (Mr. Shaw) has said that he has been able to understand the Bill five minutes after perusing it. I am certainly not asking too much to ask, as that clause is to be the charter of the tenant and that by which the course of law is to be guided, that the clause ought certainly to be made perfectly clear, so as to leave as little as possible to the discretion of local Courts. I will say a word on the interposition of a Court in transactions which have hitherto been matters of free contract. I am not a holder of Irish land; but I have, in times past, been connected with property in Ireland, and from the knowledge which I possess I do not think that it would be otherwise than wise that the tenant should have some tribunal to which he can appeal. I think that in many cases it will be wise and right that there shall be a power of appeal to the Court; but what has been said of the Courts to be instituted under the Bill? It is quite true that the right hon. Gentleman told us, as I understood, there are clauses about the Courts which require to be materially altered. All I can say is that it is unfortunate that it was not thought of before the final revisal of the Bill, which has gone through so many editions. The Civil Bill Court, as it stands in the Bill, has met with the disapproval of all concerned. One hon. Member said the Civil Bill Court was an old and dishonoured institution, and it failed to do the work of 1870. The hon. and learned Member for Antrim (Mr. Macnaghten) called it unsatisfactory, and said it was not unlikely to wreck the Bill. The hon. Member for Galway (Mr. Mitchell Henry) said that make the Court the sole arbitrator between landlord and tenant would be productive of nothing but disaster. But the unkindest cut of all was that the right hon. Gentleman himself came forward and said that under the provisions of the Bill, in many cases, it was intended to give the Civil Bill Court the go-by altogether. Then there is another point in connection with the Courts. I confess that I am one of those who, from personal knowledge of tenants, greatly fear an increase of litigation, though, on the property with which I was connected, we had so little trouble that I have known marriage portions to be assured upon a farm of which the tenant himself had only an annual holding. The tenant, by going into Court, has all to gain, and apparently has nothing to lose. I agree with the hon. and learned Member for Antrim that in many cases it would be wise to give a certificate, if it were possible to do so. The right hon. Gentleman spoke of the objections which have been entertained to the refusal of the Government, under the present Bill, to allow landlords to go into Court, and he alluded to the certificate spoken of by the hon. and learned Member for Antrim, to whom we listened with so much satisfaction the other night. As I understand the hon. and learned Member for Antrim, his case is not that in all cases the bringing of cases into Court will be prevented, but that the granting of certificates will enable the proprietor of an estate to give an intending purchaser, so to speak, a clean bill of health for the estate; and, at all events, it will protect any person to whom he may sell his estate from a number of actions. The right hon. Gentleman spoke about safeguards being introduced in Committee, and used other terms of the same sort. I understand that it is possible that when we reach Committee some modifications may be introduced, and that the objection which is entertained to the Courts not being as open to the landlord as to the tenant may be remedied at a future stage of the Bill. I do not wish to take up the time of the House over the very vexed question of the 7th clause. It is a question which really, after all, can be dealt with equally well when the Bill goes into Committee. But it seems to me that some of the arguments which the right hon. Gentleman the Prime Minister has used to-night and on a former occasion are somewhat extraordinary; and they hardly appear, to my simple understanding, to justify some of the conclusions which his superior intellect has drawn from them. Now, what are the arguments of the right hon. Gentleman? He said—

> "Before the Land Act of 1870 the tenancy was determinable upon a certain notice at the close of each year, at the sole will of the landlord, and without any other consequence whatever. What the tenant had to assign was so small that the assignment was little worth giving or receiving. But in the Land Act—not, I must own, with a view to fortify the principle of tenant right, but simply with a view to defend the tenant in possession of his holding and to render it difficult for the landlord capriciously to get rid of him, we proceeded to enact a scale of compensation for disturbance, without which the tenant could not be removed. That being so, a valuable consideration was, by the Act of 1870, evidently tacked on to every yearly tenancy in Ireland."—[*Hansard*, cclx. 902.]

That was very much the case, and a still more valuable consideration is now being again tacked on. The right hon. Gentleman goes on to say—

> "And under the Act of 1870, whether we intended it or not, tenant right has become something sensible and considerable."—[*Ibid.*]

Therefore, because you gave the tenant a right which you disowned at that time, and which you say you did not intend to give, or did not know that you were giving, and which the right hon. Gentleman, in the most distinct terms, disclaimed in 1870—because I say that right has been given, it is upon that ground, says the right hon. Gentleman, that you have established a right—it is a right that belongs to the tenant for ever, and it must now be deducted from the rights enjoyed by the landlord. My opinion certainly is that, as was said by the hon. and learned Member for Antrim, if you make your addition wrong and your subtraction afterwards, you are not likely to come to a generally accurate result; and I confess that I believe that if you go on with this process of subtraction the interests of the landlord will, in the end, be very greatly depreciated. I do not know whether I correctly understood the right hon. Gentleman; but I think he said that this is not by any means parting with the interest of the landlord. He said that the landlord might at any time resume the property. So he can resume it in the same way that he could go into a shop and resume any article that he saw there—namely, by paying for it. I may have read the Bill wrong, and, if so, I hope to be put right; but I confess I do not see that this resumption is a resumption unaccompanied by a money payment. Then the right hon. Gentleman says that the excess of the tenant right is provided against by the Bill. But, on the other hand, he says that the excess of tenant right is so provided against by the Bill that there is no fear of its unduly depressing that part of the property which may belong to the landlord, or producing the dangerous consequences which some hon. Gentlemen apprehend. But we have to consider, not what the right hon. Gentleman thinks or intends, but what is to be the interpretation of the Bill; and my right hon.

and learned Friend the late Attorney General for Ireland (Mr. Gibson) showed clearly enough that any lawyer called upon to pledge his professional reputation would tell us that this must be read in connection with other clauses, and that under Clause 7, sub-section 3, the Court, whether it pleased or not, would be obliged to take into consideration the interest of the tenant, and would be bound by the regulations of the Bill. There is another argument which I must notice in connection with this part of the Bill, and I beg the pardon of the House for being obliged to go into it at such great length at so late an hour. The right hon. Gentleman said there were two things which constituted the tenant right—there were the tenant's improvements, and there was also, as part of the tenant right, the excess in the price of bidding; and he instanced that by saying that land was in the position of a rare or very valuable commodity, and that the price given for it might be far greater than the intrinsic value. But the right hon. Gentleman, to the best of my belief, did not attempt to sustain, and did not sustain any reason whatever, why, in the case of an inherently rare and valuable commodity, you are to take away from the owner some part of the price which its rarity may have assigned to it. I wish now to say one or two words with regard to another subject upon which the right hon. Gentleman said a little—namely, the increase in the number of proprietors. That is a subject which the right hon. Gentleman the Prime Minister and the right hon. Gentleman the Chief Secretary for Ireland gave comparatively little prominence to. The right hon. Gentleman the Chief Secretary, following the lead of the right hon. Gentleman the Prime Minister, put it only as a secondary consideration of the Bill; but the noble Lord the Secretary of State for India put it as a point of vital importance; and, as far as I understood it, the whole speech of the right hon. Gentleman the Chancellor of the Duchy of Lancaster was directed towards it. I think the House will agree with me that nothing could be more striking than the general concurrence of opinion there has been in the course of the present debate that it is wise to increase the number of owners of land in Ireland. To that doctrine we on this side of the House give as cordial an assent as you do yourselves on the other side, provided only that the increase is brought about by natural growth, and not by a violent disturbance or a violent political change. This is neither the place nor the time to discuss the direct or relative advantages of large and small farms. All I can say is, that in my own district, with which, I believe, the right hon. Gentleman the Chief Secretary is pretty well acquainted—in the northern parts of Lancashire, Westmoreland, and Cumberland, there are a good many of the occupiers who are called "statesmen"—yeomen who hold their land by as good and as old a title as any Gentleman who has a seat in this House. Now, I am not one of those who wish to see the ownership of property divided into the proprietorship of house to house, and of field to field. Nor do I think that it is desirable, on economical grounds, that all the small properties should be absorbed by the larger and greater owners; but, as a matter of fact, and I regret it deeply, that these "statesmen" in the North of England are slowly but certainly disappearing, finding, as they do, that by embarking in trade and commerce they can realize 7 or 10 or 15 per cent upon their capital; whereas they find that by devoting themselves to the cultivation of the land they can only gain 1 or 2 per cent. It is said that this is a step in the direction of free trade in land. My right hon. Friend the First Commissioner of Works (Mr. Shaw Lefevre) says that when peasant proprietors are created there will be an absolute free trade in land; and the arguments of the right hon. Gentleman the Chancellor of the Duchy of Lancaster, as far as I understood them, went to the same extent. But is that the case? Not at all. As I read the Bill, you do not propose to exempt the new purchaser from any of the fetters or conditions you intend to attach to the ownership of land. It is perfectly true, as was described by the hon. Member for Stroud (Mr. Brand), that the Bill places restrictions upon the owners of land in respect of all but what they may choose to occupy themselves. The right hon. Gentleman the Chief Secretary, speaking upon this matter the other night, disposed, in a few sentences, of the nonsensical idea that there could actually be a peasant proprietorship created without the proprietorship determining, in some instances, into a landlord ownership. Then, as to this free trade in land, after all, where is it? You are doing away elsewhere with copyhold. It is thought that it is not for the advantage of the public, and of the general good, that a copyhold tenancy should prevail. But although there is a Bill now before the House, and attempts have been made in past years to abolish these tenures, what are you doing by this Land Bill? You are really creating a more stringent and a closer copyhold in Ireland than any of those you are proposing to get rid of in England. Then, it appears to me that those who use the argument of free trade in land fail altogether in their propositions. To my mind, it only shows how the principles of political economy can be thrown aside at convenience in order to meet the political emergency of the moment. I will go now to another point. I have said that there was a certain amount of difference of opinion between Members of the Cabinet—I do not say that there actually was, but there appeared to be—as to the relative importance of the provisions of the Bill. The right hon. Gentleman the Prime Minister, as we know, laid stress on the landlord and tenant portion of the Bill, and another Minister attaches great importance to a peasant proprietary. But the noble Lord the Secretary of State for India appears to take an entirely different view of the question, and we are obliged to look into these various opinions in order that we may have the greatest amount of light thrown upon the real intentions of the Government in bringing forward the Bill. In the course of an investigation which I made for this purpose, I came across a speech delivered recently by the noble Lord on a political occasion at the Fishmongers' Hall. The noble Lord said, in the introductory part of his remarks, that he had intended to excuse himself from attending the dinner—that he had not intended to go there—and, as far as that is concerned, I dare say from the comments which have since been made upon his remarks that long before this debate closes he will wish that he had not been induced to change his original intention. Now, the noble Lord, as we all know, always speaks to the point. He does not speak without consideration, and if there were anything to make his remarks especially important it was the fact explained by the noble Lord himself that he officially attended the dinner on that occasion as one of the Representatives of the Government in the unavoidable absence of the Prime Minister. The noble Lord, therefore, speaking in his capacity as a Member of the Government at a dinner of his political friends, and this great question occupying public attention at that moment to the exclusion of everything else, made use of these words—

> "The evils of Ireland are too deep seated to be removed by any changes in the relations between the landlord and owner and the occupier. We believe, as my right hon. Friend the Chancellor of the Duchy has so constantly urged that these evils will never be effectually removed until there has been established a great increase in the number of holders of property in Ireland, until the vast disproportion between the owners and occupiers has been somewhat diminished, and until a larger number of occupiers are placed in a position that would give them some participation in the rights of property."

The noble Lord went on to say, in which I entirely agree with him, that our first object should be to do all in our power to enable the Irish people to become to a greater extent proprietors of the land, and that it is to such modes of legislation we must look for any ultimate improvement in the condition of Ireland. There are many other matters which require attention; but in the opinion of the noble Lord these are the true remedies to be applied, but it must take some time to carry them into effect, and they cannot be immediate. There is an interval, he says, to bridge over, and he tells us the *modus vivendi* must be discovered. He adds that Her Majesty's Government have endeavoured by their proposals to submit such a *modus vivendi* to the consideration of Parliament. According to the noble Lord, the arrangement now before the House is intended to bridge over the interval now subsisting between the landlord and tenant for a certain period. Then, why are we not told at once by Her Majesty's Government why these great proposals are put as the secondary parts of the Bill? I trust the noble Lord will believe me when I ask in no spirit of hostility why, if this is the case, the Government do not take the purchase clauses and the emigration clauses before they take the rest of the Bill? We have heard in general terms that it is intended to make an annual grant to carry out the emigration scheme and to aid in the purchase of estates; but we are told, on the other hand, that the amount of the grant is to be decided by an annual Vote of Parliament. It seems to me that we are left entirely in the dark on the subject, and that the House may be legislating in one direction while the Treasury may be acting entirely in another. Therefore, upon these points I think we ought to have a definite statement upon the matter. I may say, on many grounds, in regard to the purchase of land, that I share the feeling of my right hon. Friend the Member for Westminster (Mr. W. H. Smith) that it would be undesirable for the Government to undertake such purchase by their own direct agency. I confess that for many reasons I should very greatly prefer that the purchases should be made through the agency of something like a Land Bank. I do not know whether it is either expedient or necessary that I should touch further upon this part of the question; but, speaking generally, I may say that the proposals of the Government at the present moment seem to be somewhat illusory for the reasons I have already mentioned. When the creation of a Land Bank was first suggested the hon. Member for Cork (Mr. Shaw) remarked that no Land Bank could have the power of borrowing money at anything like the same rate of interest that the Government could obtain it. But if such a bank had the Government behind it so as to give a guarantee, either directly or indirectly, the money might be borrowed on the security of debentures issued upon property, or might be obtained in the many other ways in which property may be dealt with; and I must say that all I have heard, read, and seen, incline me to believe that there would be no practical difficulty in a bank of the character indicated being able to obtain ample funds, at a comparatively low rate of interest, to enable it to carry out the object of the Bill. There is, therefore, much to recommend the creation of a Land Bank, and certainly some of the arguments which have been stated against it are not of the same force as at first sight appeared. In the course of this debate one thing has struck me very painfully and very forcibly. During all the years that I have sat in this House I have carefully avoided anything in the nature of making a personal attack upon anybody, and certainly I am not going to begin making such attacks now. But I must confess that I was amazed, and almost ashamed to hear the right hon. Gentleman the Chancellor of the Duchy of Lancaster, in the course of his remarks, make use of arguments which seemed altogether unworthy of him. I could scarcely believe that I had correctly understood the right hon. Gentleman until on referring to the usual sources of information I found that my impression was correct. The right hon. Gentleman was not afraid to import into this discussion—a discussion which his Leader asked the House to consider apart altogether from Party feelings, and as one which affects the interests of the Empire only—the right hon. Gentleman was not afraid, I say, to import into the debate arguments which I have certainly heard of as being used in tumultuous Party meetings, but which I have never heard used in places where questions were calmly deliberated upon—arguments calculated to arouse many angry feelings, which I, for one, had hoped, in the course of this discussion, would have been buried. The right hon. Gentleman did not think it unworthy of him to say, without qualification—

> "The vast estates that are held in Ireland are estates that were created mainly at the time, and in consequence of the confiscations of which we read in Irish history."

We have often heard the general proposition—"Ireland for the Irish," and we have heard it asserted that Irishmen are the real owners of the soil; but it is convenient to leave out of the question the large number of Irish families who are still among the largest owners of the soil. Let me take a few names which occur to me at the moment. We are told that this Land Question has arisen because the estates have been created only in the manner spoken of by the right hon. Gentleman. But everybody knows that that is not the case. If the right hon. Gentleman is still under that impression, let me ask him if he has never heard of the estates held by the O'Conor Don, Lord Inchiquin, the Knight of Kerry, the families of Kavanagh, M'Dermott, the O'Donoghue, and many others, whose names may be easily made known to persons who care to inquire into the subject. Does he not know that the titles of these families as owners are long antecedent to any question of conquest or confiscation? Does the Land League make any such distinction as the right hon. Gentleman draws? In all the letters that have been written on the subject, and in all the speeches which have been made at public meetings in Ireland, have we ever seen any proposition to exempt from the operation of the Land League those landlords who held such an ancient or indefeasible title? But the right hon. Gentleman goes even further than that. He comments upon the fact of the land being in the possession of owners "who differ in religious convictions from the bulk of the people." But can the right hon. Gentleman really presume to say, in cold blood, that he is prepared to sustain the assertion that the question of religion has anything to do with the matter, or that there have not been just as fierce attacks made against Roman Catholic and Presbyterian landlords as against Protestants, notwithstanding the fact that the right hon. Gentleman is anxious to show that the occupiers of the soil claim a religious connection with Roman Catholics only. The right hon. Gentleman commented at some length upon this matter; but as I do not think his comments ought to go entirely unanswered, I have, to the best of my power, endeavoured to answer them. But the right hon. Gentleman continued his extraordinary statements. He went on to say that—

> "If you complain that the Bill gives too much to the tenants and takes all that it does give from the landlords, I should make this answer—If, at this moment, all that the tenants have done were gone, and all that the landlords have done were left, that is the sort of map I should very much like to see, for its publication would finish this discussion in five minutes. Well, if that were to take place, if all that the tenants have done were swept off the soil, and all that the landlords have done were left upon it, the land would be as bare of house and barn, fences and cultivation, as it was in pre-historic times."

Surely the right hon. Gentleman cannot have read the very able reports of the Commissioner of *The Times*, nor can he have read the statements in other newspapers as to the number of landowners who have improved their estates. Has the right hon. Gentleman never seen the pamphlet quoted with great propriety by his leader, the Prime Minister, called "Facts and Figures," in which it is shown from Returns correctly obtained from owners and occupiers, that since 1840, as far as can be ascertained, the amount expended by landlords in the improvement of the land occupied by tenants is not less than £3,500,000? Is he further unacquainted with the fact, and, if so, I will make him a present of the figures, which he will find in the same pamphlet at page 33, that in Leinster out of 608 estates, in 194 the agricultural improvements have been made by the landlords, 202 by the tenants, and 212 conjointly; but of a total number of 1,627 estates, in 839 cases contributions were made both by the landlord and tenant, and in 200 cases by the landlord alone. But in connection with this point an *ad captandum* argument has been used. It is said that—"Taking from the amount of money spent the sums borrowed by the landlords under various Acts and securities, you will find that they themselves have spent but a very small portion of the whole amount." That is a plausible argument; but it is also true that it is covered by the fact that the tenants have not paid interest on the borrowed money. And, further, if the landlords have contracted loans without charging any additional interest to the tenant, undoubtedly we have a right to claim on their behalf that they have not been backward in effecting improvements. We know of an instance in which out of £30,000, £13,000 only was passed through the private account, the whole of the remainder being spent on the estate; and I am certain that the properties to which I have alluded more than once in the course of this debate have been dealt with in a similar spirit. I know of one case in which an amount, exceeding the whole rental of the property, was actually expended upon it in many years. The question in the minds of many persons stands thus. They say —"We are quite willing to consider fairly this question of tenant security; but, after all, is this measure intended merely to meet the evils which it is proposed to redress, or are you, under the guise of remedial legislation, entering upon a course of political change which you are unwilling openly to avow?" I cannot think the right hon. Gentleman the Chief Secretary to the Lord Lieutenant can be very much obliged to his Colleague at Bradford, who, the other day, connected so closely the questions of English and Irish land tenure, more especially as we have had it admitted in the course of the debate that there was an essential distinction to be drawn between the English and Scotch and the Irish systems of land tenure, inasmuch as on this side of the water the buildings, and so forth, are almost without exception the property of the landlords.

MR. ILLINGWORTH: The right hon. and gallant Gentleman altogether mistakes my meaning, in saying that I was trying to attach the question of land tenure in England to the Irish question. I said that the settlement of the Irish question was only secondary to the English people as contrasted with the Irish people.

COLONEL STANLEY: I was not present when the hon. Gentleman made the remarks to which I have referred, and I am very glad to hear him now make a public recantation of what has been erroneously attributed to him. We are, on our part, pleased to take note of that fact.

MR. ILLINGWORTH: I made no recantation at all. I simply offered an explanation.

COLONEL STANLEY: I said "recantation of what had been erroneously attributed to the hon. Gentleman." We are now, upon the second reading of this Bill, considering the principles which underlie its action; and I have pointed out, perhaps at undue length, why we on this side are obliged to take a course of opposition to it at this stage. We know that the two main sources of this measure have been the "earth-hunger" and the agitation which has of late been too prominent a feature in Ireland. The right hon. Gentleman at the head of the Government has said he had every reason to be thankful for the manner in which this Bill had been received in Ireland. But has the spirit in which the Bill has been brought forward been responded to? Has it caused the Land League to diminish one whit of its teaching, or have those who have acted, as they think, in obedience to its commands, abated one whit in their violence? The Government have conceded much to agitation; depend upon it, that agitation will demand more. The right hon. Gentleman asks, will this question ever be settled by a Bill smaller than the present one; and "Echo" from these Benches replies — "or by any Land Bill?" You wish to establish confidence, and you take means that, to a great extent, tend to banish all capital, except that which is tied, from the country. You wish to create ownership, and you deprive it, as one of your ex-Colleagues has shown, of one of its most necessary attributes. The right hon. Gentleman speaks in the spirit of one of the ancients, whom he is so fond of quoting, and seems to say—"Let us go where fortune, kinder than a parent, may take us." He may be prepared to embark on a course that may, to a certain extent, allay agitation, but which can only succeed in attaining that object by drawing a Bill, so to speak, upon futurity, which posterity will have considerable difficulty in discounting. If the right hon. Gentleman does not know to what this course of concession tends, I suspect there are many hon. Gentlemen on the Benches below the Gangway who can tell him. I would venture to say that if this legislation is not conducted upon sound and right principles it must inevitably sooner or later come to naught. The right hon. Gentleman has endeavoured to throw upon us the responsibility which might attend any miscarriage of this Bill, and I think I am rightly interpreting his expressions as applied, not only to a determined opposition, but to an undetermined Party. Hon. Gentlemen on this side were, he said, judges of their own conduct; and he asked us if we were amongst the number of those who were anxious to decline to carry a message of peace to "another place," adding that he looked both to this House and the House of Lords with considerable anxiety for the fate of the measure. He said, however, that the other House had always well considered questions of this kind; and it seemed to me that the sole argument which the right hon. Gentleman left out was that in which he might have asked us, in consideration of the great questions which he believed to be involved in the Bill, to take away all impediment to its course and make it as near as possible perfect, in order that it might be presented in "another place" in its best form. However tardily, it is well to find that the principles of our great Leader now departed are recognized by the right hon. Gentleman. But he added that the Motion of the noble Lord the Member for Haddingtonshire (Lord Elcho) was the first notice of a change in position which had occurred in this House owing to the death of our late Leader. The great question before us may have presented some difficulties; but, as a humble Member of the Conservative Party, I will not allow that statement of the right hon. Gentleman to remain uncontradicted one moment longer than I can help. I say that with reference to a Party led in this House by the right hon. Gentleman the Member for North Devon since Lord Beaconsfield left us for the House of Lords—a Party, united as it is, the right hon. Gentleman was not justified even by implication in the conclusion which he drew. I have endeavoured to point out some of the main objections which I hold to the fundamental principles of the Bill, and why the holding of those objections have influenced me to vote against the second reading. This, however, I would say—nothing is further from the intention of many of us who take this course than the tactics of obstruction or delay which the right hon. Gentleman feared the Bill might meet with in its progress. We agree entirely with him in thinking that the sooner the goal is reached the better, for it is not well that this question should be dangled before the public and made the incessant theme of agitation in Ireland. Nor is it well that by new concessions to public clamour, or undue concession to foregone conclusions or Party prejudice, the measure should be damaged in its progress. Although we have thought it right to protest against the Bill at this stage, I trust that it will meet, when the practical work in Committee is reached, with the same consideration and the same temperate criticism as we have endeavoured to extend to the second reading.

MR. T. P. O'CONNOR said, he had never risen to address the House with feelings of deeper depression than at that moment. Whatever prolongation of the debate on the second reading had taken place, it was not due to the speeches of hon. Members with whom he generally acted, for they had abstained from intruding themselves in the discussion until the air had, so to speak, been cleared by the sense—or non-sense—which might come from various parts of the House. The opinions he had formed on this Bill, after long and painful consideration, were opinions not merely of a minority of Members of the House, but of a minority of a minority, for he had reason to believe that his views with regard to this measure were not shared by even the majority of Irish Members. Under those circumstances, he must claim particular indulgence from the House, and would endeavour to earn it, by abstaining from a single expression that, by its heat or intemperance, might injure the cause he had at heart. Accordingly, he passed by the many hard, bitter, and unjust things which had been said by both English and Irish Members, not only with regard to himself, but also the action of the Land League in Ireland. He did not believe a Minister had ever introduced to the House a Bill of equal magnitude, or dealing with a problem of greater complexity. The Government had reason to be satisfied with the reception it had met with; for it had been praised alike by Radicals, Whigs, and Ministerialists, and by one of the ablest exponents of Irish Conservatism on that side of the House. It had also received the praises of those Irish Members who were Ministerialists first, and Irishmen a very long way afterwards. An old proverb told them that when rogues fell out honest men came by their own. When he saw Whigs and Conservatives joining together, he thought it was high time for the policemen to look after the pockets of the Irish tenants as affected by this Bill. He was not much affected in his judgment of the Bill by the predictions which came from hon. Members on the other side of the House as to its results. Was there ever an Act ushered into existence amidst so loud a chorus of approval as the Land Act of 1870; and had ever an Act gone to its dishonoured tomb amidst so little expression of even the decencies of burial? All the history of the past legislation with regard to Ireland, all the history of the land legislation that had attempted to regulate the joint interests of landlord and tenant in the soil, all the past examples of history in that respect in Ireland, and in every other country, was a lesson of warning and a beacon to those who had the interests of the tenants at heart; for nothing had been more clearly proved by the history of land legislation than that on paper everything the tenant wanted, or could fairly demand, was given, but that when the Act came into operation the tenant might be left in almost a worse position than he was before. He would not go over the stale ground of the Act of 1870; but he would take the predictions with regard to that Act on three main points. One of the predictions—which came from the right hon. and learned Gentleman the senior Member for the University of Dublin—was that that Act would take £120,000,000 from the landlords and put it into the pockets of the tenants. Another calculation was that the 600,000 tenants in Ireland would obtain £100 each for improvements, and £100 each for disturbance. Those were the predictions; but what were the results? In the three years 1871, 1872, and 1873, the total amount awarded by the Land Court was £461,149; and the average awarded to the tenants was not £100 for improvements and £100 for disturbance, but £27 5*s.* That was the manner in which £120,000,000 were taken from the landlords and put into the pockets of the tenants. Then it was said by the hon. Member for Tralee, with regard to the effects of the Act of 1870 on evictions —and the hon. Member in the same speech uttered many wise warnings against some defects in the Act, which were not attended to—that if the Bill passed he believed it would be next to impossible for a landlord to evict a tenant, unless he had such reasons for doing so as everybody capable of discriminating between right and wrong would sanction. How tragic was the contrast between that prediction and the 1,060 decrees executed in 1877, the 2,888 decrees executed in 1880, and the 2,500 decrees which, according to the right hon. Gentleman the Chief Secretary, had been issued at one Quarter Sessions in the present year! He would not go in detail into the other predictions and the contrast between them and the result; but it was said that the Bill would stop rack-renting, and rack-renting had gone on in Ulster since 1870 with a frequency and relentlessness never before paralleled. It was said that the Bill would stop emigration; and last year there was a larger emigration from Ireland than in any of the preceding 26 years. It was said by the Prime Minister that the Bill might reasonably be considered a final solution of the difficulties in Ireland; and here to-day they were face to face with the difficulties in a more threatening and more wholesale manner than in any previous period. Therefore he said there was a yawning chasm between the predictions of 1870 and the realities of 1881. Allusion had been made by the right hon. and gallant Gentleman (Colonel Stanley) to the very remarkable speech made by the noble Lord the Secretary of State for India with regard to the intentions of this Bill. The speech of the noble Lord was far away the most encouraging speech he had heard from the Ministers—it was far away the best speech on this question that had come from Englishmen, because it was the most Land League speech delivered on the question. The noble Lord said the ultimate solution of the land difficulty in Ireland was a peasant proprietary. That was what the Land League said; and the first portion of the Bill, according to the noble Lord, was in no sense a final attempt at solving the question, but was merely a *modus vivendi* to fill up the interval between the present condition of the tenant and the halcyon period when every tiller of the soil should be its owner. He should like to see those words repeated and emphasized from the Treasury Bench, because, if that was the view of the Government as to the operation of this Bill, it proved that this was a Bill which the Land League of Ireland would be justified in gladly accepting, and nothing would more encourage the Ministers than that the Lion of the Executive Government and the Lamb of the Land League in Dublin should lie down together. The first portion of the Bill was defined by the noble Lord as a *modus vivendi*. He wished he could accept that definition as accurate. He had so long forgotten the study of the classics that he did not know whether he should be right or wrong; but he should rather call the Bill a *modus moriendi* for the tenants, and not a *modus vivendi*. He believed he should be able to clearly prove that, whatever might be the benefit from the Bill to the tenantry, it was a remote thing, but that the injury to the tenant was very clear and very near. What was the position of the Irish tenant? The hon. Member for Roscommon a few days ago put a Question to the Chief Secretary as to whether or not the evidence of the hon. Member for Kilkenny, the evidence of Colonel King-Harman, and the evidence of several witnesses before the Bessborough Commission did not agree in stating that the condition of a large number of the tenants in Ireland at the present moment was a condition of indebtedness which in many parts amounted to absolute bankruptcy. If hon. Members would look through either the Commission over which the Duke of Richmond presided, or that presided over by Lord Bessborough, they would find that both the tenant farmer and the landlord, both the official, like Professor Baldwin, and the active politician agreed in representing that indebtedness as existing. There were three facts acknowledged by everybody. It was acknowledged that the Irish tenants had gone through three bad seasons recently; that a large portion of those tenants would have been face to face with famine but for almsgiving from all parts of the world on a scale of gigantic generosity; and the state of the Irish tenants through their past indebtedness, approaching to bankruptcy, received its final seal of acknowledgment by the introduction last year of a Compensation for Disturbance Bill, the main effect of which was to alter by law existing contracts with regard to rent. Therefore, he called the Ministers themselves to witness. His chief testimony was Ministerial utterances—that the condition of a large number of the Irish tenants was a condition of large indebtedness amounting almost to bankruptcy. His charge against this Bill was that the people for whose benefit the Compensation for Disturbance Bill was brought in last year were left utterly, entirely, and completely unprotected by this Bill. Do not let there be again any of the miserable excuses which the Government gave for their conduct on the Bill of last year. It was their statement that unless they carried that Bill the task of governing Ireland would be difficult, and well-nigh impossible. A large portion of the tenants were threatened with eviction, which, as the Prime Minister had said, came very near to a sentence of starvation. Those amounted to nearly 15,000 in number; and because of the rebuff of another Assembly which they were now trying alternately to bully and cajole—to hold up as a bugbear and a Paradise alternately—the Government left those 15,000 sentences to be carried out, and left the government of the country difficult and well-nigh impossible. And when the Land League took up the work of government which the Government could not fulfil, and gave that protection which the Government could not extend, they were thanked by having their leaders dragged through the mire and the mud. He hoped the lesson of the Compensation for Disturbance Bill would not be lost on the Government; and if, having introduced this Bill, they left the tenants still unprotected, the Irish people would know what to think of the friendliness of the present Government. The tenants were in arrear; and, supposing the Bill passed in its present shape, how did the tenant in arrear stand? The landlord did not find the collection of his rents very easy just now. He would go to the tenant and say—"Here is a Bill given by the Liberal Ministry; by the friendly hands of the First Lord of the Treasury, and by the Chief Secretary," whose humanity was now a bye-word in Ireland. Here was a Bill which was approved of by the hon. Member for the County of Cork, a displaced but still adored leader; here was a Bill approved of by several hon. Members who were supposed to be extreme advocates of the tenants' cause. Surely the tenant could not object to a Bill introduced under such beneficent auspices. The landlord would say—"You owe me three years' rent. You have the right of free sale. Here is this magnificent measure; this final, this generous, this gigantic boon to you and all your fellows. Go into Court and get £30. I will take what you owe me, and the shopkeeper whom you owe for meal will try to take his £30." The solicitor would try to take £2 or £3, and how much of the £30 would remain to the tenant, upon whom this Bill was to confer such benefits? The shopkeeper might make a composition, and the landlord might give up his right of precedence; but all that would be left to the tenant might be as much as would take him to the nearest emigration ship, so that he might leave his home. What, then, was the position of the tenant? It was this—his farm gone, his house broken up, and not a penny left in his pocket. And what was the position of the landlord? The old tenant gone, and a new and a better tenant in his stead; or, if he employed the right of pre-emption, he would have the farm back in his own possession without paying anything for it, because the compensation to the tenant for disturbance would be swallowed up by the arrears. The landlord either took the farm back himself, or gave it to a new and better tenant, and the latter had to pay the compensation for disturbance which, but for this Bill, the landlord would have had to pay. Further, the landlord got payment of his arrears. This magnificent Bill was a magnificent Bill, the good results of which were all on the side of the landlord, while the bad results were on the side of the tenant. Then, with regard to emigration, the tenant would be at a double disadvantage. There would be the landlord shoving him out through what was called "free sale" at the door, and at the door was the emigration agent—under the emigration clause—with a free pass, bidding him go to that land in the West, where an Irishman had some chance of success. So that there was a double agency for eviction going on. What, therefore, did this part of the Bill mean? It meant, with regard to something like 100,000 or 200,000 tenants, eviction, vast, huge, made easy and profitable to the landlord, and expensive to the tenant. The right hon. Gentleman had spoken of the generous reception which this Bill had received in Ireland. It had received a generous reception; but the generosity had, he thought, rather overcome the prudence and good sense of the people. What made the case in regard to the tenants worse? They were in arrear of rack rent; they were in arrear of rent which was acknowledged by hon. Gentlemen opposite to be an unfair rent. Cases of rack-renting had been given over and over again in the House. In one case the rent was increased at one stroke from £530 to £790 a-year. Professor Baldwin had told them that in the case of one farm on Lord ———'s estate, the rent had been increased by 95 per cent in a few years; in 1860 the rent was £6 10*s.* 6*d.*, and it was increased, year by year, until in 1869 it was £12 13*s.* 2*d.* Now, what were they going to do with a case like this, which was simply one of monstrous injustice? According to the Bill no one was going to be driven out of his house and home because he could not pay an unjust rent. But mark this, they had carefully made, with the exception of one clause to which he would presently refer, the whole effect of the Bill prospective. Hon. Gentlemen talked of compensation to landlords. He could meet them by the claim of restitution to the tenant. But there was nothing about such restitution. The Bill was almost entirely prospective in its operation, because, when the landlord and tenant went to the Court for the purpose of fixing the rent, the rent should be deemed to be rent payable by the tenant from the period of the next succeeding rent day. There was not a word with regard to the past. It was only with regard to the future that the Bill came in, and accordingly the Bill would help the landlords to evict between 100,000 and 200,000 tenants for arrears of rent, the injustice of which the Government themselves admitted. He now wanted to deal with the general facts, and sub-section 4 of the famous Clause 7. There were some hon. Friends of his who were under the delusion that this section was going to make a large and general reduction of rents in Ireland. They were under that delusion, in spite of the most express admissions from the Treasury Bench, for when the ex-Attorney General for Ireland stated that the effect of the Bill would be to leave rents pretty much as they now stood, up rose the Chancellor of the Duchy of Lancaster to confirm and emphasize that declaration. The right hon. Gentleman said that, in his opinion, in nine cases out of 10, the rent would remain exactly where it was. What was the position he and his hon. Friends took up with regard to the renting of Ireland? It was this—that unless they had a very general and almost wholesale reduction, the tenant farmers of Ireland would be utterly unable to compete with any success, under the changed condition of agriculture with American competition. ["Hear, hear!"] An English Member cheered that observation. Why was that? Because those who represented the agricultural and landed interests had been taught, within the last two or three years, to believe that if the farmers of England were to be able to compete with America they must be required to pay smaller rents; and if lower rents on a large scale be demanded in England, with how much greater force ought they to be demanded in Ireland, where they had no capital but their spade? If any of his hon. Friends were under the impression that this Bill was going to largely reduce rents they could never retain that impression under the words of disillusion which had come from the Treasury Bench. If, intrusted with the interests and hopes of the

Irish tenants in his constituency; if, raised by no merit of his own to be one of the executive body of their tenant organization, he were to deceive them with the false hope that they would be saved from eviction, that they would get free sale and have their rents largely reduced, what would be his position when they had had experience of the operation of the Bill? He would be very probably regarded as a deceiver of those who had put trust in him. This Bill conferred no new property on the tenant; it conferred no property on the tenant that was not already acknowledged in the Act of 1870. It provided different machinery for the protection of that property it was true, and the new machinery was no better than the old; in fact, it was the old machinery re-furnished, and no tinkering could make the machinery of the Land Act of 1870 good machinery. It conferred no new property on the tenant. It left the question of the tenant's property in the land exactly where it stood in the Land Act of 1870. The average value of the tenant's property in the land was fixed by the Land Courts under the Act of 1870 at £27 5*s*., and the Irish tenants might now be rejoiced to learn that the present Bill would not increase that value. [An hon. MEMBER: And after a law suit.] Yes, after a law suit; and this magnificent measure, which was to stop agitation, which was to break the reign of Saturn—he thought he had better say Satyr—this Bill, which recognized the property of the tenant in the soil, valued that property at £27 5*s*. each. But in order to get this recognition of property in the soil a law suit was necessary. He was delighted to hear the Prime Minister emphasize the fact that law was much more offensive and dangerous to the tenant than to the landlord. The Prime Minister well knew that the tenant was poor and the landlord was rich. What did the declaration of the Prime Minister mean? They would find the declaration would be repeated on many Land League platforms within the next two or three years, because it meant that the tenant, being poor, had been simply impotent against the landlord, and it was only by combination that his poverty could be put upon an equality with the richness of the landlord. He should take care, when he went to any Land League meetings, to emphasize that advice which he had been giving consistently for the last 12 months. Litigation was made absolutely inevitable. What was the evidence of the Commissions on the question of litigation? It was to the effect that a large number of the tenants of Ireland dreaded going to law. It was said the Irish were litigious. His hon. Friend the senior Member for the City of Waterford (Mr. R. Power) told him that in Ireland it was unusual even for tenants to go through the legal process of making a will. The man would get a Poor Law Guardian to draw up his will, it was signed or not, and the whole thing went on by a quiet understanding. He (Mr. T. P. O'Connor) could say that to the ordinary Irish peasant nothing was more appalling or abhorrent to his imagination than the prospect of litigation; and he boldly asserted that many of the tenants went without, over and over again, compensation for improvement and for disturbance rather than face the uncertain risk of a suit at law before a landlord Judge. He had incidentally alluded to the question of emigration, and had endeavoured to show the House that emigration was a powerful ally of eviction. He wanted to show that emigration was the deadly enemy of migration. There was plenty of work for every Irishman on Irish land, and Ireland was quite able to support a much greater population than she had at present. What did emigration mean? What was meant by a family leaving Connaught for the United States? It meant, from the very lowest point of view, the exportation of the wealth-producing machine. Why was America anxious to get the Irish emigrant, and why was Canada willing to pay his passage? Because they knew that farmers who were brought from Ireland and put there would produce not only his own food, but would also very largely increase the general wealth of the community. Every emigrant who was shipped to America was lost to Ireland. Too many had left already, for there was plenty of land in Ireland on which to employ them. Until the population was congested there was no need to send Irishmen to America or Manitoba. Let them be sent on the 2,000,000 acres of unreclaimed land, and in a few years' time the present waste land of Ireland would be amongst the most productive land in the country. They wanted to break up the grazing farms in Ireland. The lands which now formed grazing farms were lands held from the people. Let the Government give their Commission, as they had the right, power to expropriate these lands at a fair price, and relegate them to the surplus population in Connaught and other agricultural districts. But what was his great objection to emigration? If they were to put emigration in the one, and migration in the other scale, which would overbalance the other? Migration was a difficult process, emigration was an easy process; migration required care, emigration meant that they had only to give the emigrant a ticket and he was disposed of. The temptation to the authorities to get rid of disturbance in Ireland by the short, and summary, and easy process of sending people out of the country was overwhelming. It was evident that the emigration clauses must be struck out of the Bill. They must ask the Government to give their Commission larger powers than it had at present; they must ask the Government to make their plans of migration more definite and better. He did not think they would have much difficulty in getting leaseholders included in the Bill; and they ought to ask the Government to deal at once with the position of the agricultural labourer. They were tired of agitation in Ireland; they wanted some peace, if the English Parliament would let them have it. They did not want any more tempestuous agitation in order to educate the mind of the Chief Secretary for Ireland, and accordingly they asked that the Bill should deal at once in a large and generous spirit with the agricultural labourer. These being his views with regard to the Bill, he would be actually stultifying himself if he voted for the second reading. He did not want to say anything unpleasant; but, between the Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho) and the Amendment of the ex-Postmaster General (Lord John Manners), it was evident confusion and obstruction were in the Conservative camp. The principles of the Bill were principles which no one seriously contested at this time of day. The Chancellor of the Duchy of Lancaster (Mr. John Bright) had said of the House of Lords—"If you do not pass this Bill, worse will come." They were accused of embarrassing the Ministry; of damning the Bill in the eyes of "another place;" but when the Prime Minister requested them to do nothing to imperil the measure in "another place," he would reply to him that that which did most harm to the Bill came from himself and the right hon. Gentleman the Chancellor of the Duchy of Lancaster. The Prime Minister had said that if the present Ministry were put out of Office, and they were succeeded by a Conservative Ministry, they would have not a small but a large Land Bill. Well, he (Mr. O'Connor) was not a Conservative; he bore no love to the Conservative Party, but, on the contrary, looked on the principles of its opponents—the Liberal Party—as those of progress and humanity. He should regard the accession of a Conservative Ministry as a great misfortune for England and the world generally; but he came there not as an English Member, not as a Member for the Universe, but as an Irish Representative, and it was his duty, his desire, and his intention to watch most carefully the interests of his constituents. There were other people to take care of the interests of England and of humanity. When, therefore, they were told by the Prime Minister that if they could only get him out of his place, and secure the appointment of the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) in his stead, they would get a better land measure for Ireland, there was a considerable thaw in his principles, and he felt very much inclined to do what he could to assist the Conservatives to power rather than to lend his effort to maintain the Liberals in Office. The Irish people came not here as mendicants asking for the smallest concession, but they came asking Parliament to give its sanction to the conquest that they themselves had gained without Parliament, and in spite of Parliament. What was his duty as a Representative of what were called the extreme views of the Irish tenantry? It was not his conception of his duty to speak the soft sawder of the hon. Member for Cork and of the hon. Gentlemen who went with him. They stood face to face with this grim reality, that either the landlords or the tenants must go down. Neither could survive the struggle. [*Loud laughter.*] He claimed his right to occasionally vindicate his nationality by making a blunder of that kind; but what he had intended to say was, that both could not survive the struggle. He was an advocate of the eviction of landlords. He agreed with the Secretary of State for India (the Marquess of Hartington) that the eviction of the landlords was the final solution of this question, and he was not going to vote for a Bill which impeded rather than accelerated the final solution as to which he and the noble Lord agreed. He should be making bankrupt the hopes of the Irish tenants, playing false to their interests and betraying their trust, if he told them that this Bill gave them a victory for which victory they had still to fight, and he was more afraid of deceiving them than of offending the present Ministry. He would be no party to bringing them into the Fools' Paradise, where hopes would be excited only to be bitterly disappointed by-and-bye.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Chaplin.*)

Motion *agreed to.*

Debate *further adjourned* till *Thursday.*

## LOCAL COURTS OF BANKRUPTCY (IRELAND) BILL [*Lords.*]—[BILL 164.]

(*Mr Attorney General for Ireland.*)

### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General for Ireland.*)

MAJOR NOLAN said, this Bill was down for second reading for the first time; and, under the circumstances, he believed it was competent for him to block it. He did not wish to block it for himself, but on behalf of the hon. Member for Louth; and he should not continue to do it when the hon. Member, who was at present absent, returned to London. The hon. Member had telegraphed to him requesting him to block the Bill.

MR. P. MARTIN said there were three or four Notices to block the measure.

MR. GORST was sorry it was the desire of some hon. Members to discuss the measure, but hoped they would not persevere in pressing it on. The Bill was only printed on Saturday and delivered this morning, therefore there had been hardly any time to consider it. The matter, altogether, was one of little moment, and should not be brought on for discussion at that hour of the morning — 1.30 A.M. — therefore he would formally move the adjournment of the debate, which would enable the Attorney General for Ireland to speak now without interfering with his right to address the House on the second reading.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Gorst.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the measure was identical in terms with the Bill which had already been before the House five times, therefore he thought it was unreasonable to stop its progress on the ground that it was too late an hour to discuss it. If this were the first time the Bill had been submitted to the House, he would not have objected to the course taken by hon. Members; but such was not the case. The subject was introduced by Lord Cairns when he brought in the Irish Judicature Act of 1876; and the noble and learned Lord, drawing a contrast between the Bankruptcy Law of England and Ireland, pointed out that there was a Bankruptcy jurisdiction in every County Court of England, whilst there was only one Bankruptcy Court in Ireland, and said that it was desirable that Bankruptcy Courts should be established in some of the principal centres of industry in Ireland. He thought it desirable that a measure should be passed as soon as possible, and in 1878 the Irish Attorney General brought in a Bill——

MAJOR NOLAN: I rise to Order. I wish, Mr. Speaker, to have your decision on this point. The first time a Bill is put down for second reading, is it not competent for an hon. Member to block it?

MR. SPEAKER: This is an Order of the Day; there is no Notice of Opposition on the Paper, therefore the right hon. and learned Gentleman can go on.

MAJOR NOLAN: It is the first time the Bill has appeared on the Paper.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the measure was first of all brought in in 1878, again in 1879, next in the first Session of 1880, a fourth time in the second Session of 1880, and now, for a fifth time, it was brought in this Session; whilst the measure had been four times passed by the House of Lords, being approved of by the late and present Lord Chancellors of Great Britain, as well as by the present Lord Chancellor of Ireland. A number of hon. Members representing the commercial centres of Ireland had been anxious to see the measure pressed forward last Session; but there had been the same kind of opposition to it then as there seemed to be now, and at the close of the Session the Chief Secretary to the Lord Lieutenant withdrew it, as he (the Attorney General for Ireland) believed, on the understanding that it would be brought in again this Session, read a second time, and referred to a Select Committee. The large Provincial towns of Ireland wished the measure to be passed, and he thought the House was inclined to favour it; and the Government were prepared, directly the present stage was passed, to send it to a Select Committee, as arranged last year. He hoped the House would not yield to the opposition sought to be raised by a few lawyers, who resisted the measure merely on professional grounds.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. P. MARTIN, so far as he personally was concerned, desired to deny that this proposed measure was opposed on professional grounds. He objected to the measure because he believed it wholly overlooked the interests of small traders and farmers in all other places in Ireland except the centres named in the Bill. Th Bankruptcy Code in Ireland was in a very confused and unsatisfactory state. A most desirable opportunity now presented itself for the permanent reform of the system in Ireland in the Bankruptcy Bill for England before the House. They ought not to have one Bankruptcy Law for England and another for Ireland; but there should be one complete and perfect Code for the two countries. He (Mr. P. Martin) said that everyone should know that one of the great disadvantages of the Irish law at this moment was that, in point of fact, by the Bankruptcy Amendment Act passed in 1872, the local jurisdiction theretofore vested in the Chairmen of the several counties in insolvency matters was taken away, so that small creditors in the different Provincial towns of Ireland were deprived of the means of recovering debts under jurisdiction analogous to the Law of Bankruptcy. In England there were Provincial Bankruptcy Courts, and he thought that the Attorney General would do well to introduce a Bill which would facilitate the recovery of debts and arrangements with creditors in the several counties in Ireland by conferring on the present County Court Judges a jurisdiction limited in amount and extent. This Bill inforced no such principle. The Government sought to perpetuate an old and vicious system, and, in seeking to do that, they would purchase the silence of Belfast by giving it a local Court of Bankruptcy, and in the same way they sought ingeniously to deal with Cork, and to silence its opposition by giving it, also, a Court of Bankruptcy. But the people of the greater part of Ireland were to be deprived of the means of getting their debts, to please, forsooth, the merchants of Belfast and Cork, with whom the right hon. and learned Gentleman, it appeared, had made some sort of arrangement, for the purpose of facilitating the passing of the Bill. No doubt the right hon. Gentleman's own constituents and the Cork merchants would deem it convenient to have a local Court in which to settle their little difficulties, and to aid them in the process of whitewashing; but he hoped the House would not listen to their one-sided appeal. Let the right hon. and learned Gentleman devote a little of the time at his disposal, either to the preparation of a Bill such as he suggested, so as to extend, for the general benefit of Ireland, such of the provisions of the new Bankruptcy Code as were valuable, and to amend the present complex and confusing Acts in force in Ireland. If a Bankruptcy Act was to be passed its benefit ought to be extended all over Ireland. Therefore, he trusted that the House would not allow this Bill to be hurried through that night, and that it would accede to the Motion he now made.

Mr. BIGGAR said, in rising to second the Motion for the adjournment of the debate, he did not intend to go into the merits or demerits of this particular measure, inasmuch as it had only been delivered to him that morning.

Indeed, he had been informed by one hon. Member interested in the question that the Bill had not even then been delivered to him. For that reason alone, he thought they were fully justified in asking for an adjournment, and that no further Progress be made until there had been time sufficient for full consideration of the measure. He found that the Bill proposed to create a number of new offices out of money to be voted by Parliament. That was a question which concerned both English and Irish Members. Then it proposed to give compensation to certain parties in Dublin for any part of their business taken from them by the operation of the Bill. It seemed to him preposterous that large monetary engagements should be entered into at half-past 1 or 2 o'clock in the morning, without the slightest explanation whatever being afforded by the right hon. and learned Gentleman who moved the second reading of the Bill. The right hon. and learned Gentleman had pointed out that similar Bills had been introduced in former Sessions of Parliament; but he took very great care not to give the least hint to the House with regard to the creation of the new offices which he asked to be created under the Bill. It appeared to him a very curious thing that the House should be asked, as a mere matter of form, to commit itself and the country to a very large expense. He, therefore, cordially seconded the Motion for adjournment.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Patrick Martin.*)

MR. W. E. FORSTER said, that certain representatives of large trading interests in Dublin had waited upon his right hon. and learned Friend the Attorney General for Ireland and himself with reference to this subject. They had pointed out that there were no Bankruptcy Courts in the large towns in Ireland, and that all Bankruptcy business had to be transacted at great inconvenience and expense in Dublin. A stronger case, in his opinion, could not have been made out. The hon. and learned Member for Kilkenny (Mr. P. Martin) had also pointed out that other towns were similarly situated, and it was precisely that argument of the hon. Member that made the Government think that the Bill could be very properly sent to a Select Committee. The hon. Member for Cavan (Mr. Biggar) said that very little notice had been given of the Bill. But he ventured to say there was no Gentleman in the House interested in the question who did not know the Bill by heart. The hon. and learned Member for Kildare (Mr. Meldon) had opposed the Bill rather strongly last year, but seemed to welcome the idea that it would be considered by a Select Committee. The Government were sometimes taunted with not considering Irish interests; but it seemed to him they could not show their wish to do so better than by saying—"Here is a Bill which has been brought forward year after year, it is very influentially supported in Ireland, and all we ask is that it should be placed in a position that will enable it to be fairly considered by a Select Committee representing the different interests concerned." He did not see how any proposal to remedy what had been alleged to be a grievance in Ireland could be more fairly made; and he trusted that hon. Members opposite would allow that consideration to weigh with them.

MR. HEALY thought the proposition of the Government a very reasonable one. He had not given the Government a vote since he had been a Member of the House; but, with mixed feelings of pain and pleasure, he should do so on the present occasion.

MR. R. POWER said, he rose to oppose the Bill because it did not apply to Waterford. He was at a loss to understand why Londonderry, Galway, and Limerick should be included and Waterford omitted from the Bill. The latter had quite as much claim to be inserted as the other places; and he objected to its exclusion in favour of Londonderry, amongst other reasons, on account of the Representatives which Londonderry returned to the House. But he objected to the Bill on higher grounds. It really meant the establishment of unequal laws. The Government proposed to bring in one Bill for England and another for Ireland. Both were entirely different in their character, and the result of this legislation would be that a few years hence there would be agitation amongst the people of Ireland, and Irish Members would come to that House and ask for equalization of the laws. If Her Majesty's Government proposed to establish Bankruptcy Courts in Londonderry, Galway, and Dublin, why, he asked, did they not also propose to place them in every large town in Ireland? But he was quite prepared to admit that a Bankruptcy Bill was most necessary in Ireland at the present time. The opposition which the Bill had met with from lawyers was certainly a very significant fact. For his own part, he looked with a certain amount of suspicion upon any Bill that was entirely opposed by lawyers, and especially by Dublin lawyers. The present Bill would, of course, put into the hands of the lawyers in the towns named therein the practice and fees of the lawyers who resided in Dublin. The opposition of the latter was, therefore, perfectly intelligible to him. He had already stated his reason for opposing the second reading of the Bill; but he trusted that Her Majesty's Government would render further opposition unnecessary by including Waterford in its provisions.

Mr. T. D. SULLIVAN said, he rose simply for the purpose of supporting the second reading of the Bill.

Question put.

The House *divided:*—Ayes 9; Noes 57: Majority 48.—(Div. List, No. 203.)

Original Question put, and *agreed to.*

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Select Committee."—(*Mr. Attorney General for Ireland.*)

Mr. P. MARTIN begged to oppose that Motion on the ground that no Notice had been given.

Mr. SPEAKER: I must point out to the hon. and learned Member that no Notice is necessary in the case of a Motion of this kind.

Question put, and *agreed to.*

Bill *committed* to a Select Committee.

## PETTY SESSIONS CLERKS (IRELAND) BILL.—[Bill 41.]

(*Mr. Litton, Mr. James Richardson.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Mr. BIGGAR pointed out that the Amendments upon the Paper to this Bill were of a very important character, and required examination at the hands of hon. Members, especially those who represented Irish constituencies. Among other things, he observed that the Bill raised the question of pensions, which the Petty Sessions Clerks were to receive. That was a matter which deserved full consideration, and it was utterly impossible to deal with it in a satisfactory manner at that hour — 2.5 A.M. He trusted that hon. Members in charge of the Bill would not persist in proceeding further in Committee that night.

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

Mr. LITTON said, he should be the last person to ask the House to proceed with the Bill before hon. Members had fully considered its provisions; but the Amendments on the Paper were of a formal nature, and these, he thought, might very well be taken. When the Superannuation Clause, to which the hon. Member for Cavan objected, was reached, if the House thought proper, and the hon. Member deemed it right to renew his objection to the clause, he (Mr. Litton) would not object to report Progress.

Major NOLAN thought the present a favourable opportunity for passing the Bill. There were so few chances of getting Irish Bills into Committee that he trusted the hon. Member for Cavan would withdraw his Motion.

Mr. BIGGAR was willing, after the appeal of the hon. and gallant Member for Galway, to agree to the formal Amendments being taken. He should feel it his duty, however, to renew his Motion to report Progress when the Superannuation Clause was reached.

Mr. R. POWER asked what had become of the Amendments which had stood in the name of the hon. and learned Member for Kildare (Mr. Meldon)?

Mr. LITTON said, they had been included in the Amendments which he was about to move by arrangement with the hon. and learned Member.

Motion, by leave, *withdrawn.*

Clause 1 (Salaries of clerks of petty sessions in Ireland not to depend on amount of fines or petty sessions stamps), *agreed to.*

Clause 2 (Provisions for securing Petty Sessions Clerks Fund from variation).

On the Motion of Mr. Litton, Amendment made, in page 1, line 20, after "salaries," by inserting "and retiring allowances."

**Mr. HEALY** thought the hon. and learned Member for Tyrone should give the Committee an explanation as to why the Amendment standing in the name of the hon. Member for Armagh (Mr. De La Poer Beresford) had not been moved.

**Mr. LITTON** said, the Amendment in question had been put down to meet certain objections which had been raised by some of the Town Commissioners in Ireland. The hon. Member was now satisfied that the Definition Clause with regard to "local authorities" rendered it unnecessary for him to propose his Amendment.

Clause, as amended, *agreed to.*

On the Motion of Mr. Litton, the following Clauses were added to the Bill:—

"It shall not be necessary for a Petty Sessions Clerk to enter into a new bond with sureties on each occasion of increase in his salary, nor, except when by reason of the death or insolvency of his sureties or for other sufficient reason the Lord Lieutenant may consider such to be necessary, shall a new bond be required, but the original bond as against the original sureties shall remain of full force and effect notwithstanding such increase of salary.

(Definition Clause.)

"'Local authorities' shall mean the treasurers of counties and treasurers of boroughs to whom the surplus moneys arising from the sale of licences are payable under 'The Dogs Regulation (Ireland) Act, 1865,' and any Act amending the same.

"'Petty sessions clerks' shall include the registrar of petty sessions clerks and his clerks."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Litton.*)

Motion *agreed to.*

Committee report Progress; to sit again upon *Wednesday.*

### WAYS AND MEANS.

Resolutions [May 13] *reported,* and *agreed to.*

*Instruction* to the Committee on the Customs and Inland Revenue Bill, that they have power to make provision therein, pursuant to the said Resolutions.

## MOTION.

### CHURCH PATRONAGE (No. 2) BILL.

### MOTION FOR LEAVE.

Motion made, and Question proposed, "That leave be given to bring in a Bill to amend the Laws relating to patronage, simony, and exchange of Benefices in the Church of England."—(*Mr. E. Stanhope.*)

**Sir WILFRID LAWSON** asked the hon. Gentleman opposite to explain the nature of this Bill.

**Mr. E. STANHOPE** pointed out that the proposed Bill contained exactly those proposals which the Prime Minister had said would meet with the support of the Government. The other portions of the former Bill would stand over for further consideration. As soon as leave was given to introduce the Bill, he should move that the former Order be discharged.

**Mr. ILLINGWORTH** rose to Order. He wished to know whether it was competent for an hon. Member, having already one Bill before the House, to introduce another upon the same subject before the original Order was discharged?

**Mr. SPEAKER**: The procedure of the hon. Member is quite regular.

**Mr. T. P. O'CONNOR** said, he had given his hon. Friend opposite (Mr. Illingworth) his assistance on a previous occasion in dividing against the former Bill. He hardly knew what course his hon. Friend was about to pursue; but if he intended to persist in obstructive action, as formerly, he should give him his cordial support.

**Mr. DILLWYN** asked whether the Motion should not have been brought before the Committee of the Whole House?

**Mr. SPEAKER**: I see no ground for that course being taken.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Tillett.*)

**The ATTORNEY GENERAL (Sir Henry James)** said, he thought the course proposed was somewhat discourteous to the hon. Gentleman opposite, who was simply asking leave to introduce a Bill which the Prime Minister had intimated would receive the support of the Government.

Sir WILFRID LAWSON thought the other Bill should be withdrawn before leave was given, otherwise there would be two Bills running at the same time.

Mr. E. STANHOPE said, it was quite impossible for him to accede to this suggestion. The moment he received permission to bring in the second Bill he should withdraw the first. He was much indebted to his hon. and learned Friend the Attorney General for the manner in which he had urged the House to agree to his Motion. One of the chief objections raised to the first Bill was that hon. Members opposite were in ignorance as to the clauses which would be proceeded with. They then considered that a new Bill should be introduced, and now opposed him in carrying out their own suggestion.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Two o'clock.

# HOUSE OF LORDS,

## *Tuesday*, 17*th May*, 1881.

MINUTES.]—*Sat First in Parliament*—The Lord Camoys, after the death of his grandfather.

Public Bills — *Second Reading* — Tramways (Ireland) Acts Amendment * (74).

*Committee—Report*—Local Government Provisional Orders (Bath, &c.) * (77); Local Government (Highways) Provisional Order (York) * (78).

## NAVY—WIDOWS OF SEAMEN AND MARINES—THE COMMITTEE.

### QUESTION. OBSERVATIONS.

Viscount SIDMOUTH rose to ask the First Lord of the Admiralty, what progress was being made by the Committee appointed by him to inquire respecting the pensions of seamen's and marines' widows; and whether any Report on the subject would be laid on the Table of the House? It was 18 years since this question was first brought before the Board of Admiralty, and 10 years since it was first brought under the notice of the House. In 1864 a Memorial on the subject was addressed by seamen and marines to the then First Lord of the Admiralty. A favourable reply was given to it; and subsequently a Memorial of a similar kind was addressed to the late Mr. Ward Hunt when he was First Lord. He was afraid that, owing to financial reasons, any favourable suggestions which might have been made by First Lords had not been well received by the Treasury, because nothing had been done to carry out the views of the Memorialists. The subject was one of the highest importance, and its importance had increased since it was first pressed on the Admiralty. The risk of accidents to seamen and marines had increased since then; and, as he showed on a former occasion, on successive appeals there was a decrease in the amount subscribed by the public to the widows and children of the victims. He thought that seamen might fairly feel that while every attention was given by the country to the widows of soldiers and Civil servants, the same could not be said in their case. The fact of the sailor being a married man was almost wholly ignored; but great numbers of them were married men, and very many of them had large families dependent on them. The seamen had fixed their eyes on one or two items of saving which came into the hands of the Admiralty, and thought that they had a claim to those savings, as, to a certain extent, they were their own property; but in the event of the Admiralty establishing a Pension Fund they were willing to have deducted in aid of that fund a certain portion of their day's pay. One of the items of saving to which he referred was the difference between the amount paid by the Admiralty for certain articles and the allowance made to the sailor when he did not use them. Then, if a seaman had confinement for six hours, a day's pay was stopped from him. That was another item of saving to the Admiralty. Those savings might be trifling in individual cases; but in the whole they amounted to a considerable sum. He was not asking for any increase in the seaman's pay; but as the seaman's life during peace was a much less comfortable one than the soldier's, and as the improvements in naval science and projectiles had increased rather than diminished his risk of accidents, it was not unreasonable that he should be treated as well as the soldier. It was stated that the old non-commissioned officers were fast disappearing from the Army, and their places being filled by young corporals and serjeants. If such a thing should come to pass in the sister Service, then the *personnel* of the Navy was doomed, for there was nothing on which young sailors so much depended as the petty officers. Most of these men were married, and there was no better way of attaching them to the Service than by providing for those they left behind them. Secure of that, they were ready to incur every risk. He should be the last man to stir up agitation among the sailors, for the rule among them was to refrain from all political agitation; but he thought that in again bringing this question under the notice of the First Lord and their Lordships' House, he was doing nothing beyond advocating a legitimate desire.

THE EARL OF NORTHBROOK said, he could assure the House that the Admiralty were not indifferent to the question. Three months ago, when the noble Viscount brought it forward, he (the Earl of Northbrook) stated that the subject was one of considerable importance, but one requiring careful inquiry, which he was resolved it should have. He did not at that time hold out to the noble Viscount the expectation that it could be dealt with within a very short period. When the Report of the Committee upon Pensions was made, he would consider if it might properly be laid upon the Table of the House. As to the question itself, he thought it was not satisfactory that in such cases as that of the loss of H.M.S. *Doterel*, which happened the other day, the aid to be given to the sufferers should, to a certain extent, depend on an appeal to the public. He had already had some communication with his right hon. Friend the Secretary of State for War on that subject, and they had been in consultation with the Royal Commissioners of the Patriotic Fund, with the view of establishing some system of dealing with such cases. At the same time, he must say that he did not think the noble Viscount gave quite sufficient credit to the country for the assistance that was now given in such calamities as that which occurred the other day to the *Doterel*. According to the regulations in such cases, a gratuity of one year's pay was given to the widow of each man who lost his life; and in the case of a man who did not leave a widow, a similar gratuity might be awarded to his children or aged parents dependent upon him. Besides that, the children of sailors who met with their death in the way mentioned were educated at the expense of the Greenwich Hospital Fund—the boys at the Greenwich Hospital School, and the girls at certain private schools selected for the purpose. It was his impression that the widows and children of soldiers were not so well treated. He did not think it was well to mix the pension question up with that of the savings between the cost price of articles and the allowance made to a sailor when he did not draw them. When the noble Viscount introduced the latter subject on a previous occasion, he (the Earl of Northbrook) gave an explanation which it was not necessary for him to repeat now. He did not suppose it was suggested that the Government should undertake to pension the widows of all seamen. He thought a provision of that kind ought, as a rule, to be made by the seamen themselves out of their pay; and he was glad to be able to state to their Lordships that the seamen seemed disposed to make it. Savings banks had recently been established at the Naval ports, in addition to those on board ship; and His Royal Highness in command of the Naval Reserves had told him that a large number of the Coastguard insured their lives. He could only repeat what he had said before—that, in his opinion, there were certain funds which might properly be set apart towards providing assistance for the widows of sailors who lost their lives by drowning or other accident; but he hoped the House would allow him to say that any attempt to increase the expenses for the non-effective portion of the Navy ought to be viewed with much jealousy in "another place." Those expenses had grown from £360,000 to £560,000 within 10 years. In his opinion, all the money that could properly be saved in other branches of the Service ought to be expended on the effective or fighting portion. The question of provision for exceptional cases would, however, continue to receive his careful attention.

Viscount SIDMOUTH thanked the noble Earl for his statement, and said, that he did not suggest that any provision should be made in respect to any other than the exceptional cases referred to.

## ARMY (THANKS OF PARLIAMENT).

### MOTION FOR A RETURN.

The Earl of POWIS moved for a

> "Return of the officers of the Army who have received the thanks of Parliament by name from 1813; showing the date at which and the rank in which they would have been retired from the Army under the proposed rule of five years' non-employment, and the appointments they may have held subsequent to that date; how many officers of distinction would have been excluded from employment by the proposed five years' regulstion, and the nation thus deprived of their services."

The Return would be confined to those who were thanked as General Officers, as officers of inferior rank were not mentioned by name in the Votes of Parliament.

The Earl of MORLEY said, he would be the last person to demur to giving information to the House on any important questions relative to the Army when he considered the information really useful, whether in favour of or against the scheme of Army Organization; but he submitted that this Return would serve no purpose whatever, because the conditions under which the officers who would be included in the proposed Return served would be entirely different from the conditions under which officers would serve in the new scheme. Had the rule which would in future enforce retirement after five years' non-employment been in force in former days, it was more than probable that many, if not all, the distinguished generals referred to by his noble Friend would have been retained by employment on the active list. He would point out that the effect of keeping a large number of officers of high position on the active list would be to keep younger men out. Those who had not been employed for five years, and who were not likely to be employed for some time, should go off the list, in order that the promotion might not be blocked. He hoped the noble Earl would not press for the Return.

The Marquess of SALISBURY said, he had heard of Returns being refused because the information which would be contained in them was difficult to be arrived at, or because they would be so voluminous and expensive; but he had never before heard of their being refused because their production, in the opinion of the Minister, would not furnish cogent arguments against a system of which he approved. It was obvious that the motive of the noble Earl (the Earl of Powis) in asking for the Return was that noble Lords who were not so well acquainted with military matters as he was himself might have put before them in precise and intelligible terms the argument against this five years' rule. Upon the cogency of that argument, he (the Marquess of Salisbury) did not desire to express an opinion. In the opinion of his noble Friend behind him, it was a valuable and an effective argument; and he thought that to withhold information from the House simply because the noble Earl opposite did not agree with him was a very unusual course.

The Earl of KIMBERLEY said, he did not altogether agree with the noble Marquess opposite. What his noble Friend (the Earl of Morley) said was not that the argument to be founded upon the Return would not be cogent, but that no argument could be founded upon it at all. Suppose a Return was asked for which had no application to the subject, he should say that was a reason for refusing the Return. No argument of any importance could be founded upon the Return asked for. However, as it would be neither voluminous nor expensive, his noble Friend would not resist the Motion if it were pressed.

Lord DENMAN (not having heard the speech of the noble Marquess) said, that the noble Lord who made this Motion had pointed out that Viscount Hill and Viscount Hardinge could not have been employed as they were if this proposed system had existed in their time. He (Lord Denman) wished to point out the fact that the rule as to colonels retiring at the age of 58 had been re-considered; and as the Minister for War might refrain from employing a general for five years, and so dismiss him from active service, it would be an injury to the Profession if this regulation, or anything approaching to it, were established. Lord Lynedoch was 40 years old before he joined the Army. If he had been a general on retirement, he could not have again been employed—though vigorous till 80. This and other schemes for forced retirement were caused by the sudden abolition of purchase, without regard to the majority of 80 in their Lordship's House, who desired, on the Resolution of the noble Duke (the Duke of Richmond and Gordon), that a sound system of retirement should be established before the sudden revocation of the Royal Warrant. He looked upon the five years' rule of non-employment as a system of enforced retirement which was most objectionable.

Motion *agreed to.*

House adjourned at Six o'clock,
till Thursday next, half past
Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday*, 17*th May*, 1881.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Land Drainage Provisional Orders * [153]; Local Government Provisional Orders (Halifax, &c.) * [159].

*Report*—Local Government Provisional Orders (Berwick-upon-Tweed, &c.) * [138]; Local Government Provisional Orders (Poor Law) (No. 2) * [139].

## *QUESTIONS.*

### VACCINATION ACT, SECS. 29, 31.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether it is the fact that the Warrington magistrates recently fined six persons £1 16*s.* 6*d.* each (including costs) under section 29 of the Vaccination Act, which section applies only to children under twelve months' old, whereas the children in question were from three to six years old; whether this is not illegal; and, whether he will direct that the fines be remitted?

SIR WILLIAM HARCOURT, in reply, said, he only received this morning the facts of the case. It appeared that, as his hon. Friend stated, the conviction took place under the 29th section of the Vaccination Act, instead of the 31st, and the conviction, considering the age of the children, was, therefore, irregular. He would inquire into the matter, and see what was to be done with reference to the fines.

### STATE OF IRELAND—LANDLORDS' PROPERTY DEFENCE ASSOCIATION.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the attendance of paid officials of the Government at meetings of the Landlords' Property Defence Association or Emergency Committee has the sanction and approval of the Irish Executive; and, if not, what notice has been taken of the presence at such meeting of Mr. Eaton, Resident Magistrate, Mr. Rice, Crown Prosecutor, and Mr. Fleming, Sub-inspector, at Fermoy, county Cork, on the 7th instant?

MR. W. E. FORSTER, in reply, said, he understood that neither Mr. Eaton, Resident Magistrate, nor Mr. Fleming, Sub-inspector, attended any such meeting as the hon. Member alluded to. Mr. Rice, Crown Prosecutor, informed him that, as a private individual, he attended a private meeting of gentlemen interested in the Property Defence Association. He did not think the matter called for the attention of the Government.

### INLAND NAVIGATION DRAINAGE (IRELAND)—THE UPPER BANN.

MR. RICHARDSON asked the Financial Secretary to the Treasury, Whether, in the course of an inquiry now being held on "Inland Navigation and Drainage in Ireland," it has been found that the powers of the Commissioners do not enable them sufficiently to investigate the complaint laid before them, in regard to the serious damage caused by the flooding of the Valley of the Upper Bann, and the lands adjoining Lough Neah and its tributaries; and, whether he will advise Her Majesty to enlarge the scope and powers of the Commissioners, and provide the Commissioners with the assistance of a competent hydraulic engineer for the purpose of reporting on a proposal placed before them, to discharge the surplus water by way of Newry?

LORD FREDERICK CAVENDISH: The Commission referred to in the Question of my hon. Friend was appointed to inquire into the Northern inland navigations of Ireland and their effect upon the drainage of the country. In a preliminary Report, the Commissioners asked for fresh powers to examine into the practicability and expense of a new plan for improving the drainage of the Valley of the Upper Bann entirely independent of the navigations. This proposal appeared to the Treasury to be outside the scope of the inquiry intrusted to the Commission, which, in itself, is large enough to be likely to occupy much time. It further appeared that the proposal was one which should rather be dealt with under the General Drainage Acts. It was, therefore, decided not to extend the scope of the inquiry intrusted to the Commission.

### PURCHASE OF STORES (INDIA).

MR. W. H. SMITH (for Lord GEORGE HAMILTON) asked the Secretary of State for India, If it is true that the permission given in 1878 by the India Office to the Indian Government to obtain by open tender in India the necessary stores for the Stationery Office for the Bengal Presidency have been suddenly cancelled from England; and, if so, upon what grounds?

THE MARQUESS OF HARTINGTON: The permission which the noble Lord probably refers to was intended to encourage the purchase in India of articles manufactured in that country, or usually procurable in the local market, of satisfactory quality and price. But when stores are of such a nature that they have to be purchased in England, the demand should be forwarded to and dealt with by the India Office. More precise instructions to this effect were sent to India in May, 1880, and were adopted by the Government of India in a Resolution dated November, 1880. No other instructions on this subject have recently been sent to India.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARREST OF —— CLARKE AT MULLINGAR.

MR. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that a man named Clarke was on Thursday May 12th arrested without warrant at Mullingar on a charge of carrying an alleged illegal placard; if four magistrates at once proceeded to sentence the man to a month's imprisonment unless he found bail for good behaviour for six months; if it was only on the protest of Mr. Downes, prisoner's solicitor, that the magistrates consented to remand the charge to petty sessions; if the magistrates had power to adjudicate as they proposed out of sessions; and, if they they had not, will he take steps to insure that justice shall be done in similar cases in which prisoners may not be able to provide themselves with legal defence?

MR. W. E. FORSTER: I am informed that this case was disposed of at the Petty Sessions. I am also informed that the magistrates have jurisdiction to ask for sureties for good behaviour; but, as this is a legal point, perhaps the hon. Member, if he wishes for further information, will ask my right hon. and learned Friend the Attorney General for Ireland.

MR. T. D. SULLIVAN: I will do so.

### PRISONS (IRELAND)—THE GOVERNOR OF LIMERICK PRISON.

MR. T. D. SULLIVAN (for Mr. O'SULLIVAN) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the present Governor of the County Limerick Prison is the same Governor whose conduct was brought before this House in 1869 (by the late George Henry Moore) for insulting and persecuting political prisoners under his charge; and, if so, why the County Limerick Prison was selected for the same purpose on the present occasion?

MR. W. E. FORSTER: The Governor of the Limerick County Prison has held that office since 1862; therefore I imagine that he was Governor when the late Mr. Moore brought forward his Motion in 1869. The prison was selected—firstly, on the ground of the general convenience of the situation; and, secondly, because of its suitability in the way of internal accommodation.

MR. T. P. O'CONNOR asked the right hon. Gentleman whether the present Governor was not the same person who was Governor when the hon. Member for the county of Limerick (Mr. O'Sullivan) underwent atrocious treatment in the prison?

MR. W. E. FORSTER requested the hon. Gentleman to give Notice of his Question.

MR. T. P. O'CONNOR said, the right hon. Gentleman knew very well that it was the same person. ["Order!"]

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — NEWSPAPERS FOR POLITICAL PRISONERS.

**Mr. HEALY** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, as it is not denied that Colonel Valentine Baker after his conviction of a far graver offence than any which the Irish coercion prisoners are merely suspected of, was not prevented from receiving such English, Irish, Colonial, and Foreign newspapers, illustrated or otherwise, as he chose to pay for; and further, as it is not denied that English prisoners charged with offences however grave are while awaiting trial allowed to receive such papers as are sent to them, the Irish prison officials will in future be instructed not to stop such publications as the "Echo," the "Newcastle Chronicle," the "Graphic," the "Illustrated London News," the "Nation," the "Irishman," when they are forwarded by friends to the political prisoners in Irish goals who are merely detained on suspicion; and, if he will state by whose orders these papers have hitherto been stoppod?

**Mr. W. E. FORSTER**: I can only repeat what I have before stated in answer to this Question—namely, that the Irish Government have given orders that prisoners detained under the Protection of Person and Property (Ireland) Act shall be allowed to receive the Dublin daily papers and the papers sent them from their own localities. I do not think there is any necessity for modifying that rule.

**Mr. HEALY**: Perhaps the right hon. Gentleman will answer the latter part of the Question.

**Mr. W. E. FORSTER**: I really have answered it. Of course, my answer implies that it is by our sanction. In fact, I am quite willing to state that it is done by our orders.

## FRANCE AND TUNIS—THE TREATY.

**Mr. M'COAN** asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government regard the Treaty extorted by General Bréard from the Bey of Tunis on the 13th instant as consistent with the declarations of M. Saint Hilaire previously reported to this House as to the intended object and limits of the French Expedition to Tunis; and, if not, whether it is the intention of Her Majesty's Government to protest against so grave a violation of International Law as this forcible imposition of a French Suzerainty on the Regency indisputably constitutes; and, whether the said Treaty, so extorted, will in any way, and to what extent, affect the rights and privileges secured to Foreigners residing in, or trading to, Tunis, under the existing capitulations and Treaties between the Sublime Porte and the European Powers?

The following Question on the same subject also stood on the Notice Paper in the name of the Earl of Bective:—To ask the Under Secretary of State for Foreign Affairs, Whether, seeing that if Her Majesty's Government considered Tunis to be under the suzerainty of the Sultan, and no final Treaty could therefore be entered into by the Bey without ratification by the Sublime Porte, Her Majesty's Government, in accord with the terms of the Berlin Treaty and the Anglo-Turkish Convention, would prevent the insertion of clauses in any French Treaty with the Bey which might undermine the authority of the Sultan, or interfere with the rights of other nations under Treaties with the Ottoman Porte, or its suzerain the Bey; also to ask, if Her Majesty's Government will protest against the permanent occupation by the French of the Ports of Bizerta, Susa, and Gabes, inasmuch as such occupation would menace our communications with the East; if Her Majesty's Government will protest against any terms being forced upon the Bey which would interfere with the proper representation of British and Italian interests in the composition of the International Financial Commission which at present exists at Tunis; and, if Her Majesty's Government will take steps to prevent the imposition of a protective tariff in Tunis against the introduction of British manufactures which at present constitute the principle European import trade in that Country?

**Sir CHARLES W. DILKE**: I conclude that the Questions of the hon. Member for Wicklow County and the noble Lord the Member for Westmoreland were put on the Paper before the conversation yesterday on the affairs of Tunis. I then stated that it appeared the more convenient course to defer any discussion of particular points until the whole of the case was submitted to this House in the Papers which will shortly be laid before Parliament, and in this view the majority of the House will no doubt agree. If hon. Members are not satisfied with those Papers, they will then have the opportunity of submitting a Motion upon the subject. With regard to the noble Lord's Questions, I would point out that the Anglo-Turkish Convention contained no reference to the dominion of Turkey in Africa, and we have not heard that the French troops are in the neighbourhood of Susa or Gabes.

MR. M'COAN asked how far the existing Treaties would be operative?

SIR CHARLES W. DILKE: I do not wish to be drawn into further answers by further Questions. We have not yet got an official communication of the text of the Treaty; but we have been informed by the French Government that they have exercised the utmost care that the rights and privileges secured to foreigners under existing Treaties shall continue to exist.

THE EARL OF BECTIVE asked for an answer to the third paragraph of his second Question with regard to preventing the imposition of a protective tariff in Tunis against the introduction of British manufactures?

SIR CHARLES W. DILKE: That paragraph is partly covered by the answer I gave. The existing Treaties with Tunis will undoubtedly continue in force.

SIR H. DRUMMOND WOLFF asked whether the Capitulations would continue in force?

SIR CHARLES W. DILKE: I must ask the hon. Member to give Notice of his Question.

SIR H. DRUMMOND WOLFF: I will put the Question on Thursday.

MR. RITCHIE: May I ask on what footing the Treaty with Tunis stands?

SIR CHARLES W. DILKE: Perhaps the hon. Member will give Notice of the Question.

THE EARL OF BECTIVE: Perhaps the hon. Baronet will inform the House whether there is any truth in the statement that General Bréard on the 15th instant occupied the city of Tunis with a large body of troops under the direct orders of the French Government that he was to remain there until His Highness the Bey had distinctly stated that his protest to the Porte, to the effect that he signed the Treaty under protest, was revoked?

SIR CHARLES W. DILKE: We have not heard of any occupation of the city of Tunis by French troops; but they are just outside.

## ARMY—COAST BRIGADE ROYAL ARTILLERY.

MR. CREYKE asked the Secretary of State for War, If the officers of the Coast Brigade Royal Artillery, by the abolition of the lieutenant-colonelcy of the brigade, have been debarred from rising in the regiment beyond the rank of captain; if, on the recommendation of Lord Morley's Committee, one majority only is proposed to be granted to the whole of the brigade; and, whether, taking into consideration the fact that the Coast Brigade is the only opening for master gunners and superior non-commissioned officers to the combatant commissioned ranks in a regiment numbering 34,000 men, he would, before the publication of the new warrant, be prepared to consider the concessions sought by the officers of the Coast Brigade, viz.:—The granting of four majorities, inclusive of present establishment (the proportion granted to the Royal Marine Artillery); and the revival of the lieutenant-colonelcy?

MR. CHILDERS: In reply to the Question of my hon. Friend, I really must appeal to him to consider whether it is desirable that specific proposals for increase of establishments, involving large additional expenditure, should be pressed on me by an independent Member in the House of Commons. I should not so much deprecate a general Question asking me if I had inquired into the organization of any particular corps; but it is very difficult to exercise economical control in these matters in the face of elaborate claims of this kind put forward in Questions to Ministers. As to the particular case of the Coast Brigade, I have to remind my hon. Friend that the officers and men are under the orders of the officers commanding the Artillery of their respective districts; and I can see no reason for granting to these particular officers, who have not received a scientific education, like the other officers of Artillery, higher ranks than that now enjoyed. We are, as my hon. Friend's Question shows that he is aware, adding one majority to the establishment, which, since 1872, has consisted of captains and lieutenants.

## PASSENGER ACTS—EMIGRANT SHIPS.

CAPTAIN PRICE asked the President of the Board of Trade, Whether he will cause inquiries to be made as to the sufficiency of the boat and life-saving accommodation supplied to emigrant ships sailing from Queenstown and other ports for America and Canada?

MR. CHAMBERLAIN: I have made inquiries on the subject of the Question, and I find that the size and number of life-boats and the character of the life-saving apparatus in emigrant ships are already prescribed by statute. I have no doubt that the provisions of the statute are strictly observed in every case, and I believe that no emigrant ship leaves port until after inspection by an emigrant agent, as well as by a representative of the Board of Trade. As to the sufficiency of the statutory provisions, I can only say that, so far as I am informed, they are sufficient and, in fact, as extensive as would be practicable or desirable in all circumstances.

## MINES REGULATION ACT—THE PEN-Y-GRAIG EXPLOSION.

MR. MACDONALD asked the Secretary of State for the Home Department, If he has had his attention called to that portion of Mr. Wright's Report on the Pen-y-Graig Explosion, in which he states the following with respect to Moses Rowlands, the manager of that colliery, viz.:—

> "The nominal manager of the colliery is Moses Rowlands, a nephew of one of the proprietors. He has had no experience in the working of steam coal, except for a short time as a boy of 10 or 12 years of age. The following is his history:—Born in 1843, he from 10 to 12 years of his age cut coal at Aberdare and Rhondda; then he did clerk's work at Gwendraeth Colliery for about five years (1855 to 1860). He was then at a national school for some time. He was then at a house coal (not steam coal) colliery at Pen-y-Graig belonging to his uncle for 13 or 14 years (1861 to 1873) as a clerk, storekeeper, and measurer, principally at book work, and, as he expressly stated, not engaged in the practical duties of mine managing. In 1873 he went to assist his father, the certificated manager of another house coal colliery at Pen-y-Graig. He remained there five years, holding no regular office as manager, overman, fireman, or otherwise. In 1878 he came to the Naval Steam Coal Colliery (where the explosion now in question occurred), of which his uncle was and is a proprietor; and he has been the certificated manager from then till now. He obtained his certificate, not by examination, but by a certificate under section 31 of the Act, signed by the Secretary of State, to the effect that he had 'within five years before the passing of this Act (the Coal Mines Regulation Act, 1872) acted for not less than 12 months in the capacity of a manager of a mine.' This certificate, if the foregoing history as told by him is true, was entirely false, and he must have known it to be false, inasmuch as according to his own showing he did not begin to act in any capacity as manager of a mine, even as his father's assistant, until 1873; and the proprietors of the colliery, or some of them, must have known it to be false. This manager appears to have brought himself within the provisions of section 38 of the Coal Mines Regulation Act, by which the use of a false certificate with knowledge of its falsity is a misdemeanour punishable with two years' hard labour. The proprietors of the colliery are equally liable to punishment if they were accessory to the nephew's offence. One at least of the proprietors (the manager's uncle) took an active part in the affairs of the colliery;"

and, whether, considering that the Commissioner charges him with fraudulently obtaining his certificate, and for such offence he is liable to two years' hard labour, he will direct that his certificate be at once withdrawn, or he be tried for an offence in the ordinary course of Law?

SIR WILLIAM HARCOURT, in reply, said, that he had been in communication with Mr. Wright on this subject, and the hon. Member was aware that the Government had carefully considered what course should be taken in regard to it. A prosecution had been instituted against the manager with a view to revoke his certificate for misconduct and negligence. The prosecution failed, and he was absolved. In those circumstances, considering the whole character of that case, he did not think it would be right to go back to anterior proceedings six or seven years ago, and institute another prosecution, which he did not think was likely to succeed. The Government could not undertake a second prosecution in that case. He had, however, given instructions that a special inspection of that mine should be made, and a particular Report be made to him as to the present management.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—PROCLAMATION OF THE QUEEN'S COUNTY.

Mr. LALOR asked the Chief Secretary to the Lord Lieutenant of Ireland, For what reason the Queen's County has been proclaimed under the Protection of Person and Property (Ireland) Act; and, if it be true that Patrick Meehan, Patrick Doran, and John Redington, of Maryborough, in the Queen's County, have been arrested under the provisions of the said Act; and, if so, on what reasonable suspicion?

Mr. W. E. FORSTER, in reply, said, the only answer he could give to that Question was that, after very careful consideration, the Government had acted on their responsibility, and had thought it necessary to proclaim that county for the prevention of outrages. The hon. Member asked him on what reasonable suspicion certain persons had been arrested. He could not give the precise words of the arrest, and he would not like to make any mistake. Of course, the Papers would be laid on the Table in the usual form; and if the hon. Gentleman wished him to read the warrant, of course he should do so.

Mr. LALOR said, that he wished to make a few remarks on this subject, and would therefore conclude with a Motion. He was well acquainted with the inconvenience of these Motions of Adjournment; but he was compelled to take the course which he was now doing in consequence of the Chief Secretary having refused to state the grounds on which the Queen's County had been proclaimed. He had a Return in his hand from which it appeared that within the last four months there had only been six agrarian crimes in the Queen's County. There was no other county in the British Empire where there had been less crime committed than during the last four months in the Queen's County. To show the manner in which the Coercion Act was now worked, he would only refer to one case, that of a burning which took place in his own neighbourhood a short time since. For that a man named Lalor was arrested on suspicion, although there was not the slightest evidence against him to go before a Court. The very fact of this man's arrest would establish the fact that the burning was a malicious one, and would thus play into the hands——

Mr. R. N. FOWLER rose to Order. He wished to know whether the hon. Member was in Order in debating a question on a Motion for Adjournment, when he had raised the same point on a similar Motion two or three days ago?

Mr. SPEAKER: When the hon. Member spoke on this question, the Motion before the House was that the House do now adjourn. That Question was disposed of, and I am not prepared to say that the hon. Member is, strictly speaking, out of Order now, although, as I have often said, this is a most inconvenient course to pursue.

Mr. LALOR said, that the proclamation of the Queen's County was playing into the hands of the landlords. He was very well aware—and in the Queen's County they were very well aware—on whose recommendation the Queen's County had been proclaimed. It was on the recommendation of the magistrates, and he would give the House a sample of those gentlemen. In January last, six respectable young men who were collecting subscriptions for the Land League were summoned before the magistrates at Petty Sessions, and although the persons whom they had solicited swore that they had not been intimidated, the magistrates disregarded the evidence, and convicted the accused. The assistant barrister reversed the decision on appeal, and now two of those men had been arrested merely to vindicate the magistrates' unjust decision. These men were respectable merchants in Maryborough, and yet the police went to their houses at 2 o'clock in the morning, broke in their doors, and only gave them five minutes to dress before they took them to gaol. One of them had a large sum of money in the house, and he had no time to secure it before he was taken to the station and conveyed to gaol. He asked was that right or honourable treatment for respectable men? He said it was unjust and cruel. On what grounds were these men arrested? The right hon. Gentleman had refused to answer that question; but he would tell them he had a copy of the Warrant, which he would read.

Mr. NEWDEGATE: I submit, Sir, that the matter which the hon Member is placing before the House has nothing to do with the Motion for Adjournment;

and I hope the House will not allow any important matter such as this may be to be introduced when the House itself has no opportunity of expressing an opinion thereon.

MR. HEALY: May I ask, Sir, is it not the fact that the hon. Member for Wareham (Mr. Montague Guest) moved the adjournment of the House yesterday on the question of Tunis, which was a much more important matter than that now under consideration? I would also ask you, Sir, whether the hon. Member for London (Mr. Alderman Lawrence) is entitled persistently to interrupt the hon. Member, at the same time skilfully endeavouring to conceal the fact by putting his Notice Paper before his mouth?

MR. SPEAKER having made no reply,

MR. LALOR, resuming, denied that these three gentleman had ever committed a breach of the peace of the kind alleged against them. He challenged the right hon. Gentleman to go down to that place and hear the case, even from the policemen and magistrates from whom he was getting his instructions in this matter. He challenged him to bring the matter to trial, and he would find that he was thoroughly deceived by the local authorities in Maryborough. He believed the arrest of these men was intended by the right hon. Gentleman as a blow at the Land League; but the best weapon the right hon. Gentleman could make use of against the Land League would be the introduction of a good Land Bill, which the Bill at present before the House was not. ["Order!"]

MR. SPEAKER: The hon. Member is not entitled to refer to the Land Bill, which is not now before the House.

MR. LALOR said, he did not intend to refer to it any further; but he would advise the right hon. Gentleman and the Government to be cautious. There were men in Ireland connected with the Land League who were anxiously waiting for the time when the present leaders should be removed. These men were not the friends of the landlords or the friends of the Government; but they were men who thought the present leaders were not sufficiently advanced, and who would be more likely to give trouble to the right hon. Gentleman than the men who now guided the movement. He would advise the right hon. Gentleman, before he made further arrests in the Queen's County, to go down there and inquire, not from the landlord side of the question, nor from the officials from whom he was getting information, but to hold an inquiry in public, where he could have the members of the Land League and their accusers face to face. He begged to move the adjournment of the House.

MR. MARUM, in seconding the Motion, wished to bear testimony to the fact that there was not a particle of evidence against the men who had been arrested to sustain the charge of intimidation. The case had come before him and his brother magistrates on appeal, and was investigated with the greatest care.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Lalor.*)

MR. T. D. SULLIVAN wished to state his belief that the number of arrests which had taken place in Ireland, and the character of those arrests, were creating not merely irritation, but exasperation in that country. He wished to tell the right hon. Gentleman opposite (Mr. Forster) that if he went on in this line of action he and the Irish landlords would produce an insurrection in Ireland.

Question put.

The House *divided*:—Ayes 23; Noes 317: Majority 294.—(Div. List, No. 204.)

## CENTRAL ASIA—THE PAPERS.

MR. NORTHCOTE asked the Under Secretary of State for Foreign Affairs, If he was aware on March 14th that the consideration of a Motion involving the whole question of Ministerial policy in Central Asia was fixed for the 24th of that month; if so, if he can explain the reason of the delay from March 14 to March 17 in requesting the assent of the Russian Government to the publication of the important papers contained in Parliamentary Paper (Central Asia, No. 3, 1881); if he can explain the delay between March 21st and 24th in communicating the Russian assent to such publication to the Under Secretary of State directly responsible to Parliament for the conduct of Foreign Affairs; and, if he can state to the House the reasons, if any, which precluded the communication to Parliament of the intelligence conveyed in the last two Despatches of that Parliamentary Paper in time to place the House in possession of the information used by Her Majesty's Government in the discussion of the Motion relative to the retention of Candahar?

Sir CHARLES W. DILKE: I gave very full information upon this subject yesterday to the House. My answer must be that there was no such delay as that with regard to which the hon. Member asks. I stated yesterday that the document reached the Foreign Office on the night of the 21st, and that it was seen and the immediate publication of the Paper ordered on the morning of the 22nd. It then, as I explained, had to start on its usual round before it came to me. When he asks me the reason which prevented communication to Parliament of the last two despatches, I must reply once more that no reason whatever prevented it, that every possible haste was shown, and that no haste would have produced the last despatch in time, as it was only written after the debate was over.

### SOUTH AFRICA—THE BASUTOS.

Mr. R. N. FOWLER asked whether any further news had been received from Basutoland?

Mr. GRANT DUFF: In reply to the hon. Member for the City, who has always taken so strong an interest in the Basutos, I am happy to say that Sir Hercules Robinson has now telegraphed that Letsea, Lerothodi, and 10 others have accepted his award. Masupha did not sign the letter; but we do not know that he has declined to accept the award.

### PARLIAMENT — BUSINESS OF THE HOUSE—THAMES RIVER BILL.

Mr. RITCHIE asked if it was the intention of the Government to press forward this Bill to-night, and why it was placed on the Paper every day, including those of private Members, which was a most inconvenient course?

Mr. CHAMBERLAIN considered the course referred to an inconvenient one; but it had appeared to him necessary in the circumstances of the case. The Bill had first been introduced as a Private Bill, in the hope of saving the time of the House. In deference to opinions expressed by hon. Members on both sides of the House, it subsequently was introduced as a public measure. The re-introduction of the Bill was, however, deferred for three weeks in consequence of the Notices of opposition of the hon. and learned Member for Bridport (Mr. Warton); but having managed to catch the hon. and learned Member napping, he at last succeeded in introducing the measure. The second reading might have been taken on Friday; but in deference to the wishes of hon. Members opposite he undertook not to begin the discussion after 12 30. The Bill was then put down for Monday, and Notices of opposition were at once given by the noble Lord the Member for Woodstock (Lord Randolph Churchill) and the hon. Member for the City of London (Mr. Alderman Lawrence). There was, therefore, no other course for him to pursue than to put down the Bill in the Order Paper day after day. If the opposition to the House being called upon to give a verdict on the measure could be overcome, he would put the Bill down for an evening that would be convenient to those interested.

Lord RANDOLPH CHURCHILL: Under the circumstances stated by the President of the Board of Trade, I will agree to remove my block to the Bill.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARRESTS UNDER THE ACT—THE CASE OF MR DILLON.

Mr. J. COWEN said, he wished to ask the Speaker a Question respecting the privileges of an hon. Member of the House. The Speaker had ruled that Mr. Bradlaugh's expulsion — notwithstanding the Resolution that was arrived at on the 26th of April, declaring that he could not take an oath, and notwithstanding also the Resolution based on the Motion of the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) that he must be prevented entering the House—could be made a question of Privilege. The hon. Member for Carlisle (Sir Wilfrid Lawson) had raised the point, and it had been held that he had a right to do so. Now, Mr. Dillon was a duly qualified Member of the Legislature. He had committed no offence. He had not been put upon his trial; he had not been condemned: he had simply been arrested on suspicion. He was apprehended, too, while on his way to take his seat in Parliament. What he wanted to know from the Speaker was, whether Mr. Dillon's case stood in the same category as Mr. Bradlaugh's, and could be treated as a question of Privilege? He knew the Speaker had ruled that the essence of Privilege consisted in its urgency; but he begged to remind him that immediately the fact of Mr. Dillon's arrest was made known to the House, the hon. Member for Galway (Mr. T. P. O'Connor) and other Irish Gentlemen started a discussion on the subject, and they only abandoned it when the Government gave an undertaking that there should be an opportunity for debating the whole question. That opportunity had not been afforded; and what he wished to know was, whether the matter could be recurred to in the way that Mr. Bradlaugh's case had been recurred to, and be brought up as a question of Privilege?

MR. T. P. O'CONNOR: With regard to this question of the arrest of Mr. Dillon, the Government has been guilty of a distinct breach of their own promises. On Notice being given by an hon. Member, calling attention to the arrest, the Government declined to give us any opportunity of bringing it forward. ["Order!"] I think I am speaking to the point raised by my hon. Friend —namely, that this remains a question of urgency to us because of the action of the Government, for when we brought the matter forward in an irregular manner the Government challenged us to bring it to the test of a Motion. Yet the very day after that distinct statement of the Government, when my hon. Friend asked for facilities, the Government took advantage of the Forms of the House again. Accordingly, if we have not been able to bring it forward as a matter of urgency, the responsibility is on the Government, not us.

MR. PARNELL: I also wish to ask whether it would not be greatly for the convenience of the House that the Government should afford some opportunity to the Irish Members of discussing the question of the arrests made under the Coercion Act? I certainly regret very much that the question should have been raised in an irregular way, as it was yesterday, and again today, but I cannot wonder that this should have happened; and I would ask you for some expression of opinion as to whether it would not be a desirable step to take, with the view of preventing irregular debates from springing up, which it was natural should spring up in the absence of any means of bringing these very important matters before the House, for the Government to give once for all one day to the Irish Members, for the purpose of bringing up the whole question of the 100 or so arrests made under the Coercion Act?

MR. SPEAKER: The hon. Member for the City of Cork has put to me a Question in reference to my opinion upon a matter not now before the House. The hon. Member must be aware that it is not for the Chair to express an opinion except upon points of Order. With regard to the Question of Order put to me by the hon. Member for Newcastle, I have to say this—that Mr. Dillon, one of the Members for the county of Tipperary, has been committed to prison for some time under an Act of Parliament passed this Session, and I am asked whether any Motion on that matter would be treated as a question of Privilege? I have no hesitation in saying that any Motion bearing on Mr. Dillon's arrest, seeing that he has been for some time in prison, and that urgency does not apply, could not, according to the practice of the House, be treated as a question of Privilege. Any Motion brought forward on that matter must be brought forward in the ordinary way.

## PARLIAMENTARY OATHS—MR. BRADLAUGH.

MR. ARTHUR O'CONNOR said, he would on Thursday next ask the Prime Minister, Whether, seeing that Acts of Parliament had been passed for the purpose of relieving two noble Lords from the penalty which they had incurred last Session for having sat in the House of Lords without having taken the usual Oath, it was the intention of the Government to propose a similar measure of relief in the case of Mr. Bradlaugh?

SIR WILFRID LAWSON wished to put a Question to the Speaker with reference to the proceedings of the House. He desired to know, Whether, acting on the precedent which had been set by the right hon. Gentleman the Member for

North Devon (Sir Stafford Northcote) in the case of Mr. Bradlaugh, it would be competent for any hon. Member to make a similar Motion for the purpose of ascertaining the orthodoxy of the theological views of Mr. Thomas Collins when he presented himself at the Table to take the Oath ?

MR. SPEAKER: The Question put to me is on a point of Order which has not arisen, and, therefore, I decline to answer it.

## *MOTIONS.*

### PARLIAMENT—BUSINESS OF THE HOUSE—RESOLUTIONS.

MR. DILLWYN rose to move the following Resolutions :—

"That the present Standing Orders be abrogated, altered, or amended, in so far as they may be inconsistent with the following New Orders :—

1. That Debate on a Bill shall be confined to the following stages: Second Reading; Committee; Consideration of Report; Third Reading.

2. In the course of any Debate it shall be competent for any Member, the consent of Mr. Speaker having been first had and obtained, to move that the Question shall be put forthwith, and the decision of the House shall be at once taken without further Debate; if resolved in the affirmative, the Question before the House shall be put forthwith ; if resolved in the negative, no similar Motion shall be allowed on the same Question before two hours have elapsed. Provided always that not less than 150 Members shall vote in the majority.

3. If during any Debate a Motion be made for Adjournment, Mr. Speaker may decline to put the Question thereupon, if in his judgment the Motion is made for purposes of obstruction ; or if he think fit to put such Question, he may put it from the Chair forthwith.

4. When a Motion is made for the Adjournment of a Debate, or of the House during any Debate, the Debate thereupon shall be strictly confined to the matter of such Motion.

5. Mr. Speaker may call the attention of the House to continued irrevelance or tedious repetition on the part of a Member, and may direct the Member to discontinue his Speech.

6. On Motion made, the House may decide that any Bill shall be resumed in the ensuing Session of the same Parliament at the same stage at which it stands at the end of the current Session.

7. Any Member suspended from the service of the House, in accordance with the Order of February 28th, 1880, shall be suspended from Moving and Speaking for a week at the first offence, and for the remainder of the Session at the second, but shall retain the power of voting. It shall nevertheless be in the power of the House upon Motion made to reinstate such Member in the full service of the House, but such Motion in respect of any Member shall be made only once in the course of the Session.

Paragraphs 2, 3, 4, and 5, shall apply, mutatis mutandis, to proceedings in Committee of the whole House.

In Committee.

8. Amendments not on the Notice Paper shall only be moved by a Member in charge of the Bill."

In commending the Resolutions to the House, the hon. Member said, that there was an impression abroad, and even among Members, that year after year the House of Commons was growing less and less able to grapple with the accumulation of Business upon it, and a feeling was getting up in the country that the House of Commons was becoming incompetent for the work put upon it. He regretted that feeling should exist with regard to this Legislative Chamber, in which he had spent the best part of his life. Various suggestions had been made with the object of affording the House some relief in the discharge of its duties. Among other proposals that had been made was one by which the Business was to be apportioned under certain heads and handed over to Special Committees ; but that was an objectionable course, in his opinion, because he thought that the Business of the country should be done by the Representatives of the nation, and not by mere Committees. He was satisfied that by a mere alteration in the old Standing Orders of the House, which had remained unchanged for years, they would be able to get through their Business easily. The hindrances to satisfactory legislative progress arose, in his opinion, from three main causes—first of all, that they had too many unnecessary Forms in which they allowed questions brought before the House to be debated ; second, useless and unnecessary discussion, due perhaps to the increased interest taken in Parliamentary proceedings by the constituencies, and Members being anxious to show that they were "somebody" in the House ; and, third, and paramount of all, the abuse of the Rules instituted for the purpose of protecting the rights of private Members. Instead, however, of those Rules being used to enable the minority to protect their own rights, they had enabled the minority to prevent the majority carrying out measures which they deemed to be necessary, and, in fact, to wage war with the country through the Forms of the House. He admitted that he had on occasions taken part in obstructive tactics; but that was at the end and not at the beginning of the Session, because, in his opinion, that which was Obstruction at the beginning and at the middle of a Session sometimes became a duty at its end, when Bills could not be properly considered. Tracing the recent development of Obstruction, he referred to the "All-night" Sitting in 1877 over that very important question, the Confederation of South Africa—a measure which his hon. Friends the present Under Secretary for the Home Department (Mr. Courtney), the Under Secretary for Foreign Affairs (Sir Charles W. Dilke), and his right hon. Friend the President of the Board of Trade (Mr. Chamberlain), did their best in assisting the Irish to obstruct. If they had succeeded in throwing out that Bill, he believed that many of the evils which had since arisen in South Africa would have been prevented. He and they, however, did not then carry Obstruction to the extent of going on with it all night; and he believed that the angry feeling engendered by the obstruction of certain Members who persevered in it prevented the fair consideration being given to the objections urged against that measure which they would otherwise have received. The course of procedure which was adopted in that Session resulted in the appointment of a Committee to reconsider the Rules which regulated the procedure of the House. This Committee made several suggestions, some of which were adopted; but they had not proved sufficient to restore perfect order to the debates in that House. Notwithstanding the fact that the House in the present Session had been sitting since early in the month of January, hardly anything had been done in the interest of the country; indeed, no measures had been passed except such as were, speaking in general terms, thoroughly and heartily disliked. The Government had proposed certain measures in reference to the state of Ireland, and he had great faith in the wisdom of the Government; but he saw little chance of their measures passing at an early period as long as the present method of conducting the Business of the House was maintained. For the reasons which he had stated he asked the House to pass a series of Resolutions, the first of which would have the effect of limiting the occasions on which any measure could be discussed and, if any hon. Member thought fit, obstructed by the methods with which the House had become acquainted. The second Resolution was an important one. If passed, it would enable any hon. Member, with the assent of the Speaker, to move that the question should be forthwith put and the decision of the House be forthwith taken; and it provided that, if resolved in the affirmative, the question should be then put, provided that not less than 150 Members should vote in the majority. He put the number at 150 with a view to prevent a small majority at the end of the Session, when the House was weary and few Members were in town, being possessed of undue power. The requirement, however, that 150 at least should vote in the majority would, he thought, secure a sufficient expression of opinion to justify the carrying out of the Rule. The next three Resolutions had already been in operation. They had been framed by Mr. Speaker as "Urgency" Rules, and he thought they might well be incorporated with the Standing Orders of the House. The sixth Resolution might be regarded as an innovation; but he thought its adoption would lead to a practical and important improvement in their procedure. His principal object in framing that Resolution was to enable Bills to be passed which never could be carried in any other way, at least as perfect measures—he alluded to Bills relating to Law Reform, to Merchant Shipping, and such like. Measures such as these were either dropped altogether, or were hurried through the House at the end of the Session without much consideration. The House would, he thought, agree with him that it would be far better that such measures should receive full and free discussion before they were passed, and that could not be secured without some such provision as he suggested in his Resolution. It would, he was sure, lead to better legislation than they were able to secure under the present system. The seventh Resolution provided that a Member suspended from the service of the House should be suspended from moving and speaking for a week at the first offence, and for the remainder of the Session at the second, but should retain the power of voting. It was, he considered, unfair to his constituents to deprive an offending Member of the power of voting. The Resolution then provided for the re-instatement of the Member in the full service of the House upon Motion made and carried, such Motion, however, in reference to the same Member to be made once only in the course of the Session. The eighth and last Resolution provided that Amendments in Committee which did not appear on the Paper could only be moved by a Member in charge of the Bill. Its adoption would prevent the passing hurriedly and without due consideration of Amendments in Committee. There would be some guarantee obtained that the Amendments of which no Notice had been given were really improvements of the Bill if the hon. Member who had the Bill in charge approved of them. Such were the Resolutions he proposed; and he did not doubt that the result of their being agreed to would restore to the House the power of prosecuting the Business of the country which they had, he might say, lost. They were now, practically, unable to carry out the views of the majority in the country, because it was in the power of a small minority to thwart their efforts to do so. He trusted the Government would accept the proposals he made. They had the power in their own hands of doing so. He did not say that the Resolutions were perfect; but this he could assert—that he had heard far more objections to their not going far enough than he had to their going too far. He was convinced that if they could restore to the House the power it formerly exercised over its own Business, they would have done a good and an important work.

Motion made, and Question proposed,

"That Debate on a Bill shall be confined to the following occasions: Second Reading; Committee; Consideration of Report; Third Reading."—(*Mr. Dillwyn.*)

Mr. RYLANDS, in rising to move the adjournment of the debate, said, the House would no doubt be of opinion that the subject of the alteration of their Rules was one of serious consequence, and ought not to be agreed to without very grave consideration. He had always been of opinion that any alteration of the Rules of the House should be the subject of careful inquiry by a strong Select Committee, or that Her Majesty's Government should take upon themselves the responsibility of recommending alterations of the Rules to the House. He moved the adjournment of the debate for this reason — that he thought the Government in such a case as the present might reasonably and properly be looked to to guide the House; and that, if they saw the necessity for alteration, it was for them, after due consideration, to propose to the House such Rules as they thought were required for the better conduct of their proceedings. A short time ago, in reply to the hon. and learned Member for Dundalk (Mr. Charles Russell), the Prime Minister truly said that there had been a number of Committees on the subject, and that in their Reports and the Evidence they had taken there was all the information that was required for dealing with it. He gathered from the answer that, when the pressure of Business was somewhat diminished, the Government were prepared to submit some proposals; and he therefore moved the adjournment of the debate, in order that they might wait to hear what the proposals of the Government were. He was, however, surprised at the transformation exhibited by the hon. Member for Swansea, recollecting the course he pursued on this subject when sitting on the opposite Benches. He was disappointed that the virtue of the hon. Member had not been sufficient to resist the disposition to give to a Liberal Government and majority powers he refused to concede to a Conservative Government. For himself, he did not look at the question at all in that light. It was a curious psychological study to watch the hon. Member coming forward as the apostle of Rules far more stringent than had been proposed before, but occasionally betraying that leaven of sympathy which still existed in his mind with the usages of an active minority in Opposition. In his Resolutions he had taken a course entirely different from what might have been expected of him. It might have been supposed that he would have based his Resolutions on the Report of the last Select Committee, which had only one fault, and that was that it was too representative of the

Front Benches. But they had the advantage of hearing the views of the Speaker and of the Clerk at the Table, and they recommended various modes of improving the Business arrangements of the House. The hon. Member had adopted the recommendations they did not make, and had ignored those they did make. Therefore, to adopt his proposals would be to vote want of confidence in the Committee and in preceding Committees. Immediately after the inquiry of the Select Committee of 1878, the Leader of the present Opposition submitted several Resolutions which, for the most part, followed the recommendations of the Committee, and exhibited patience under criticism and Obstruction, one of the main Obstructionists being the hon. Member for Swansea. He said he would not offer Obstruction at the beginning of the Session, but it was justifiable at the end. But the right hon. Gentleman submitted his Resolutions at the commencement of the Session. The object of one of them was to prevent Motions on going into Committee of Supply, which often interfered with the progress of Public Business; but the hon. Member for Swansea objected strongly to it, and he had not included it among his proposals. The hon. Member, however, had submitted what he called a qualified *clôture;* but, if it were a qualified *clôture*, he should like to know what an unqualified *clôture* was. In the Committee of 1878 it received the support of two Members against 13, the two being Mr. Knatchbull-Hugessen and Mr. Sampson Lloyd. If it had been proposed in the last Parliament, he would answer for it that the hon. Member for Swansea would have sat up all night opposing it; and he would have done the same, but he had not altered his opinion because he sat on the other side of the House. He could not understand such a change of opinion on the part of Members who appreciated the fact that great questions had to be fought out by minorities—[Mr. Biggar: Hear, hear!]—and that the public mind had to be educated by discussions, often of interminable length, such as occurred in the struggle for Free Trade. His hon. Friend asked the House to pass a Resolution which would, in fact, strangle minorities. Now, why did his hon. Friend propose these Rules? Because they had in their midst Members who were amongst them, but not of them. So long as the Forms of the House were used by Members representing English and Scotch constituencies, subject to the public opinion of this country, there was no danger of those Forms being pressed beyond the point which could be considered as justifiable; but there were on the Benches opposite a number of Members who did not represent the public opinion of England. They represented the public opinion of Ireland; they came here as a hostile body; they were prepared to stretch the Forms of the House because they were not concerned in maintaining its reputation and arrangements; it was a House they had no sympathy with, and, therefore, they were prepared to abuse its Forms as far as they could. A great part of this Session had been spent in withdrawing the liberties of the people of Ireland and in accordance with the desires of the Opposition. Could it be wondered at that a minority of Irish Members, representing a people uncontrolled by English public opinion, had strained the Forms of the House to resist what they considered an attack on their liberties? As coercive measures went on, we should have still further evidence of the fact that we had exasperated a hostile class in Ireland. But let the House be careful lest to meet a temporary emergency they sacrificed arrangements and Forms which had been shown by years of experience to be the safeguards of the rights and liberties of minorities. His hon. Friend urged that the Business of the House was increasing; but was it not worthy consideration whether it was not increasing in a way which could be remedied? Centralization had increased, was increasing, and ought to be diminished. It was telling materially upon the time of the House, and he should be glad when they had the opportunity of considering a definite means of decentralization, so as to relieve their shoulders of a large amount of the work at present cast upon them. His hon. Friend seemed to think that the House had lost the respect of the people; but there never was a greater mistake. The greatest attention was paid to their proceedings. There were even, in some towns, mimic Parliaments held, in which those who took part in the debates assumed the names of favourite Members of that House. One was known, for instance, as the Member for Woodstock, and, no doubt, some sturdy, independent representative would call himself Member for Swansea; but after his present proposals he feared he would have to call himself by some other constituency. The proposals of his hon. Friend were not the only alternatives to be considered by the Government. There was the proposal of Grand Committees. A large Committee would, no doubt, much abridge the time devoted to the Civil Service Estimates, and be of great advantage to the country. He also thought the American rule as to the length of speeches might be usefully adopted. In great debates there might very well be some limitation as to the length of speeches. Though he was willing to consider any proposal for saving the time of the House which would not unfairly press upon the rights of minorities, he hoped that the House would resist any means intended to meet a temporary emergency which would have the effect of removing the security of those rights. He moved the adjournment of the debate.

Mr. A. J. BALFOUR, in seconding the Motion, observed that the House had just witnessed a painful scene. The hon. Members for Swansea and Burnley had formerly long stood shoulder to shoulder in defending the rights of private Members, and carried on in more than one hard-fought battle the work of scientific Obstruction; but their long political union appeared at length to have ended. The nearest parallel he could find to this tragic breach of friendship was when, in the House of Commons, Mr. Fox and Mr. Burke finally separated in regard to a great question of public policy. On this occasion he was bound to say that his sympathies were entirely with the hon. Member for Burnley. He had kept in a straight path, and the hon. Member for Swansea had been the backslider. He had been a little puzzled during part of the speech of the hon. Member for Swansea to know whether he was attacking or defending Obstruction. He dwelt with obvious gusto on all the means of Obstruction, and he specially recommended Obstruction at the end of a Session. But he remembered that no longer ago than the end of last Session they looked in vain for the assistance of his hon. Friend to put some term to the efforts of the Government to pass legislation, at a time when, by his own admission, no legislation should have been allowed. With reference to the Resolutions themselves, his main objection to them was that they threw too great a burden upon the shoulders of the Speaker. The responsibility of closing the debate was too great to be thrown on the Speaker. The experience of last Session showed that even the duty of naming a Member was difficult to exercise. The modified *clôture* would practically rest entirely with the Speaker; and the time might come when the minority, however much in the wrong, might accuse the Speaker of lacking in that impartiality which had always distinguished the Chair. No doubt, the power of moving adjournments at Question time was greatly abused; but could any one doubt that in a great public emergency it was most important that it should be exercised? It was not always sound policy to remove a right because it was abused, or was liable to abuse. These Rules, whether good or bad, ought not to be entertained by the House unless they were brought forward by the Government of the country. He therefore deprecated coming to any decision upon them at present, and begged to second the Motion for the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Rylands.*)

The Marquess of HARTINGTON: Whatever may be the opinion of the House as to the consistency of my hon. Friend the Member for Burnley (Mr. Rylands), who has been so severely attacked, but who is quite capable of defending himself, and whatever the opinion of the House as to the Rules which have been moved by my hon. Friend the Member for Swansea, I think there can be no doubt that he is entitled to the thanks of the House for the care and attention he has given to the subject. I do not desire, for reasons I will shortly state, to discuss the Resolutions of my hon. Friend in great detail. I think, perhaps, my hon. Friend, if he wished to introduce an effective change in our proceedings, would have done better if he travelled over a less wide field, and had confined himself to one or, at most, two or three, important alterations, instead of presenting what really amounts to a whole new code of procedure. As to the 1st Resolution, it seems to me that, practically, it would make very little difference in the existing state of things if it were adopted as it stands on the Paper. But my hon. Friend has explained that he proposes to alter the Resolution in such a way as to exclude discussion on the bringing in of a Bill. Though, like other things, the right of debate on the introduction of a Bill is very often abused, it would, in my opinion, require a great deal of consideration before the House should adopt the Resolution. There may be occasions when the most legitimate mode of dealing with a Bill, the character of which the House is perfectly acquainted with, is upon its introduction in the early part of the Session, when the House has not much Business before it, instead of waiting until the second reading at a later period, when the House may be very fully occupied. Besides, legislation may be proposed which ought not to be embodied in a Bill at all. I will pass over, for a moment, the second and most important of the Resolutions — that which deals with the power of closing a debate. Upon the 3rd and 4th Resolutions I only wish to say that I think they are entirely in the right direction; and when the House has time to take up this question it will probably be disposed to adopt some proposals of the nature pointed out by my hon. Friend. As to the 5th Resolution, I also entirely agree with my hon. Friend that the power possessed by the Speaker under the Rules of Urgency was not attended by any inconvenience; and I think, after some further experience of its working, the House may very properly be asked to consider the adoption of the Rule. The 6th Resolution seems to me to open a rather wider question—a question which appears to go beyond the scope of the proceedings of the House with which my hon. Friend proposes to deal. It is hardly a question of procedure with which it deals, but with some more vital principles which affect our legislation. As to the extension of the Order of the 28th of February, 1880, several of my hon. Friends near me and I myself expressed our opinions, when the Order was passed, that if anything was to be done at all the Resolution should be made more effective. We did express our opinion that the Resolution as proposed was not sufficiently strong, and would fail of any satisfactory result. I am, therefore, entirely in agreement with my hon. Friend as to the principle of the Rule which he proposes. But the most important of the Resolutions is, no doubt, the second, which gives the majority of the House the power of closing a debate. It is a question entirely open to doubt whether, as stated by my hon. Friend the Member for Burnley, any alteration of a restrictive character, such as is now proposed, would really meet the evil of which we have complained during the last few years. The inconvenience to which the House may be subjected, as was pointed out by the hon. Member for Burnley, does not rise altogether, or even mainly, from the deliberate Obstruction to which the House is sometimes exposed. Besides the inconvenience from that cause, it does sometimes suffer from having a great deal more work to do than under the present regulations it can perform. I entirely agree with my hon. Friend the Member for Burnley that we ought not to look only to legislation of a restrictive character; we should also see whether some proposals with regard to Grand Committees and other proposals of that kind which would assist the House could not be made, and whether the House could not be relieved of some of the Business which it now takes up. But, while I entirely agree with my hon. Friend in that proposition, speaking for myself personally and not as representing the Government, I hold with equal conviction that the converse proposition is true, and that whatever proposals we may make they will not be sufficient until the House does take into its own hands a greater control over its own proceedings and its proceedings in debate than it now possesses. My hon. Friend referred to the proceedings of the Committee which sat upstairs on the Business of the House, and stated, I think, somewhat too broadly that the question of the *clôture* was considered and altogether rejected by that Committee. My hon. Friend ought to have mentioned that the decision of the Committee was couched in very guarded terms, and certainly did not amount to a rejection of the principle of the *clôture.* A Resolution was proposed by Mr. Knatchbull-Hugessen that the power of formally closing the debate was one which, with certain restrictions, might be beneficially exercised by the House. My right hon. Friend (Mr. Dodson) who sits near me moved as an Amendment that the proposal of formally closing a debate is one which the Committee is not prepared to recommend for present adoption by the House. A division was taken on the word "present," and the word was adopted. The Resolution as finally passed was that the power of closing a debate was one which the Committee was not prepared to recommend for the present adoption of the House. That is a Resolution which could not be fairly said to amount to an absolute rejection of the proposal for closing a debate. Speaking my own opinion on this question, I have held for some time very strongly that the arguments in favour of some such power are, on the whole, convincing and conclusive. Such power, no doubt, may be open to abuse; but I should like to know what power the House can assume which, in certain circumstances, may not be liable to abuse. No doubt it is conceivable that an intolerant majority might make use of such a power to suppress the rights of a minority. But, in the circumstances in which we now find ourselves, an intolerant minority is practically able, not only to prevent the House from discussing particular questions, but to prevent the majority of the House from discussing a great number of questions at all. By absorbing the whole time of the House in discussions upon one or two subjects, it is quite possible for a minority abusing its powers to prevent the majority from discussing any question whatever except those immediately before it at the moment; and if a tyrannical use is to be made of the Forms of the House I must say that it is more reasonable and the evil would be less if arbitrary power should be exercised by the majority who might be assembled at the time, and who probably represent the majority of the people, than that such intolerance should be practised by a minority. These are my own opinions; and I have no doubt that, sooner or later, the House will be compelled, in some form or another, to adopt this power. Almost every Legislative Assembly in the world has been compelled to adopt it; and I do not know why we, who have at least as great an inclination as other Assemblies fully to discuss Public Business, should alone be able to dispense with it. I think that, sooner or later, the great power of the *clôture* will have to be placed in the hands of a simple majority; and I believe that, with one exception, no restrictions will have any practical value. The only restriction required is that the power shall be exercised by a certain quorum of the House; and it must be borne in mind that in placing this power in the hands of a majority you place upon them at the same time a great responsibility, the sense of which will make the abuse of power exceedingly rare. I have thought it possible to express my own opinions on this subject, but I am not prepared to commit my Colleagues to the adoption of this principle; and I must point out that all proposals affecting the conduct of the Business of the House are shown by experience to be measures of a very important character—measures which the House has never been disposed to adopt without very full discussion, and which have always demanded far greater consideration than we can give to them to-night. Such proposals naturally involve much debate; but it has often struck me that they have generally produced more discussion than was absolutely necessary. The fact is that some hon. Members interest themselves in one subject, and some in another; but every hon. Member who takes a prominent part in the Business of the House thinks himself a great authority on the subject of our procedure; and it is quite true that there are many hon. Members whose experience does make it desirable that we should hear their opinions. This circumstance alone makes it quite impossible that any change should be effected without the most careful deliberation. We may assume, then, that these proposals of my hon. Friend require for their consideration much more time than he has at his command. Speaking for the Government, I have to say that they cannot find time for the discussion of these questions, and that, if they promised their support to the Resolution of my hon. Friend, the only practical result would be to aggravate the pressure of the Business of the House. Still, both we and the House generally must feel grateful to my hon. Friend for the attention he has paid to this subject, and must sympathize with him in his endeavour to facilitate the progress of Business, and to improve the procedure of the House. Personally, I agree with many of his conclusions, and hope that some of the changes he advocates may some day be carried into effect; but the Government cannot, in the present state of Public Business, undertake a task that is too considerable to be successfully accomplished in the course of this Session. I should be inclined to vote for the Motion of the hon. Member for Burnley (Mr. Rylands), which is in some respects preferable to the Previous Question as a way of disposing of a subject. I am glad that my hon. Friend has called attention to this matter, and I hope that the House may have another opportunity of resuming the discussion before the end of the Session; but at this moment I must support the Motion for the adjournment of the debate.

Mr. DILLWYN said, he had always considered that this question ought to have been brought forward by the Government; but he had thought it his duty to prevent it being lost sight of. Thanking the noble Marquess for the kind reception he had given to his proposals, and hoping that the Government would be able to bring the subject before the House themselves, he would ask leave to withdraw the Motion.

Mr. DAWSON observed, that the Irish Members could hardly overlook the pointed reference that had been made to them in the course of the discussion. Arguments had been used in favour of the *clôture;* but the Papers on the subject that were in the possession of the Government had not been laid on the Table, because they showed that outside the British Empire countries in the position of Ireland had separate Assemblies of their own, and the Imperial Assemblies had not under their consideration a vast mass of topics to make confusion worse confounded. Ours was the only Assembly that had to deal with so incongruous a collection of subjects as Ireland and India, Tunis and Telegraphy, Bradlaugh and Basutos. Home Rule was the real remedy for this state of things; and he could only recommend the noble Marquess to consider whether a better way could be found out of the difficulty.

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

## NATIONAL EXPENDITURE.

### RESOLUTION.

Mr. H. H. FOWLER, in rising to move—

> "That, in the opinion of this House, the recent increase in the National Expenditure demands the earnest and immediate attention of Her Majesty's Government with the view of effecting such reductions as may be consistent with the efficiency of the Public Service,"

said: On the night that the Chancellor of the Exchequer made his Financial Statement I ventured to call the attention of the House to the omission in that Statement of the subject of this Motion; but the right hon. Gentleman then pointed out to me that I had made my remarks at the wrong time, for in Committee of Ways and Means was not supposed to be an occasion for settling the National Expenditure. However, the right hon. Gentleman stated at the same time that this was a question of grave importance and interest, and one which ought to be brought before the country; and, therefore, I have felt no hesitation in taking the earliest opportunity in my power for submitting the matter to the judgment of the House. The last time that a Resolution of this sort was brought forward was something like 20 years ago—I think it was in the year 1862 that my right hon. Friend the Member for Halifax (Mr. Stansfeld) submitted a similar Resolution for the consideration of the House of Commons. On that occasion the Resolution was met by an Amendment, moved by the right hon. Member for the University of Cambridge (Mr. Spencer Walpole), and Lord Palmerston very adroitly defeated his opponents by making it a question of confidence or no confidence in the Government. On that occasion the House of Commons did vote an abstract Resolution, which was not so strong as that of my right hon. Friend the Member for Halifax, though I think that almost every Member of the present Government voted in favour of the stronger Resolution. They, however, were beaten, and a very mild Resolution was agreed to by the Government, and from that hour to this the question has gone on without general attention being called to it; and the National Expenditure has been steadily increasing. It seems to me that we who sit on these (the Ministerial) Benches occupy a peculiar position in reference to this question. At the last General Election we went to the country upon two distinct issues—namely, the Foreign Policy of the late Government and the Expenditure of the late Government; and if we are consistent in what we said when we addressed our constituents in reference to the extravagant expenditure of the late Administration, we are bound to say the same here; and we are bound to carry out the pledges which we gave to our constituents on the hustings, or else, if we are not prepared to do that, we are bound in common justice to tell hon. and right hon. Gentlemen opposite that we were wrong, that we misled the country, and that the expenditure of the late Government was necessary. I, for one, am not prepared to do that. I believe the expenditure which was sanctioned by the late Administration was an extravagant one; and it is because I believe that the National Expenditure has been still further increasing that I purpose to call the attention of the House to the matter. I see that the Expenditure of the year 1881, which closed on the 31st of March, 1881, the gross Expenditure was £83,107,000. That, of course, appears to be a very enormous sum; but it would be unfair to represent that that amount was the real Expenditure of the country. It would be unfair to do so for this reason — that out of this £83,000,000 a large amount of work is done for the public, for which the public pays, and gets its money's worth for its money. In order to ascertain the true amount of the Expenditure of the country you must, in the first place, deduct the amounts for the Post Office and the Telegraphs, as that is work for which the Government receives payment from the public. You must also deduct the cost of collecting the Revenue, and you must also deduct the interest on Local Loans—that is, loans which the Government lend to the Local Authorities, and in respect of which the Local Authorities pay interest. You must also deduct the payment for the specific loan for the Suez Canal Shares, in respect of which the Government receive interest. These sums amount, in the aggregate, to £8,877,661, which leaves the Expenditure of the country at £74,230,000. Now, that £74,230,000 is made up of three or four different items. There is our Debt, which is a charge of £28,920,000; Civil Fund Charges, which amount to £1,669,000; the Army, £16,658,000; the Navy, £10,702,000; the Civil Service, £15,700,000; and a grant to India of £500,000. In round figures, the Debt costs £29,000,000; the Military and Naval expenditure, £27,750,000; and the Civil Service, £17,500,000. Those are the great items of expenditure, and the House of Commons has the means of exercising power of retrenchment over only two of them. The first thing which I ask the House to affirm by this Resolution is that there has been a considerable recent increase in the National Expenditure, and in doing so I shall call attention to four periods extending over two decades. The years which I will take are the years 1865, 1870, 1875, and 1880; and I think the periods that I have selected have this advantage—that in 1865 and 1870 we had a Liberal Administration in power, and in 1875 and 1880 we had a Conservative Administration in power, and the Chancellor of the Exchequer during the first of those periods is happily still with us, and now occupies the same position, and the Chancellor of the Exchequer of the two last periods is also happily still with us. Therefore, I am dealing with an expenditure which Members of both the late and the present Governments carried on. Taking those four periods, I find that in 1865 the net Expenditure was £60,900,000; in 1879 it had grown to £62,700,000; in 1875 it grew to £66,500,000; and in 1880 it had reached £76,100,000. If I were to sit down here, without saying another word, I think I should have established my charge that the National Expenditure has recently very heavily increased. Now, Sir, with respect to the details, I find that the greatest items of increase are the Army and Civil Service. In 1865 the Civil Service expenditure was £9,300,000; in 1870 it was £11,000,000; in 1875 it was £13,500,000; and in 1880 it was £16,900,000. Our Naval and Military expenditure in 1865 was £25,280,000; and in 1880 it has reached £30,422,000. The rate of taxation per head during those periods was, in 1865, £2 5*s.*; in 1870 it was £2 4*s.*; in 1875 it was £2 5*s.*; and in 1880 it was £2 9*s.* It cannot be said that we are at a time when the national prosperity goes by leaps and bounds; because at the present we have had a period of the most unexampled agricultural and manufacturing depression. Every industry in the country is at a disadvantage compared with what it was five or six years ago; and it appears that 1*d.* on the Income Tax this year produces considerably less than last year—a striking indication of the decrease in the earning and saving power of the country. Yet not only do we find in these circumstances an increase in the National Expenditure, but an increase in local taxation. The pure local taxation levied in this country last year, independently of gas rates, water rates, and every rate for which service was directly rendered, was £21,000,000 sterling; and local loans, which were also increasing, amounted in the last two years to upwards of £30,000,000—a fact which surely proves the necessity of placing some check upon local expenditure. Well, the question arises, in what direction is relief to be looked for? My answer is, in two quarters—the Civil Service and the Military and Naval expenditure. The first thing that I shall deal with in the Civil Service expenditure is the great increase in our educational expenditure. I am the last man to deprecate the expenditure of money on National Education; but I think that the guardians of the public purse are bound to see that we get our money's worth for our money. There is such a thing as educational expenditure and extravagant educational expenditure. I rejoice to see an increasing number of children receiving the grant for education; but the increase of late has been owing not only to an increase in number, but to an increase in the grant per head. In 1865 the grant per child was 9*s.* 4*d.*; in 1870 it was 10*s.* 1*d.*; in 1875 it was 13*s.* 3*d.*; and in 1880 it had reached 15*s.* 6*d.* Not 50,000 were presented in Standard VI., and only a percentage had passed in that Standard, which cannot be considered at all satisfactory; so that both as to efficiency and economy very strict supervision is required. I now come to what, after all, is the great source of the expense of this country—a source which is a question of policy—a source which we, as Liberals, invariably attack in the country, and which we ought to be consistent in attacking in this House—the expense for Naval and Military purposes. I am one of those who hold the opinion of Mr. Cobden that our Navy should be supreme above all other Navies in the world. Our Navy is our first and last line of defence, and no Englishman would grudge expenditure to make the Navy efficient in all parts of the world; but our Army is not so much an expenditure for defence as an expenditure regulated by policy; and if we attempt to become a rival of any of the Continental Military Powers, we at once embark upon a great increase of our Military expenditure. Let me draw attention to the increase in our Army expenditure. I exclude the Indian Army. In 1865 the number of men voted was 78,410; in 1870 it increased to 84,361; in 1875, when we had the first dawn of the Imperial policy, the number increased to 92,386; and in 1880 it increased to 108,287.

MR. CHILDERS: When my hon. Friend speaks of 1865, does he mean 1864-5, or 1865-6?

MR. H. H. FOWLER: 1864-5.

MR. CHILDERS: Then 1880 means 1879-80?

MR. H. H. FOWLER: Yes. We have, in addition, created a magnificent Reserve of 450,000 of Militia, Yeomanry, Volunteers, and Army Reserve. I am passing no censure upon the present Government, as they have at present hardly found themselves masters of the situation; but I think the time has now arrived when some serious steps should be taken to diminish the outlay.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. H. H. FOWLER continued: I have said this question of expenditure is, after all, a question of policy. Nothing is so easy as to sneer at those who advocated a reduction in the Military expenditure as the "Peace-at-any-price Party." Well, I am not ashamed to say in this House that I believe all war, except a purely defensive war, is a crime; and as a Christian nation we ought not to engage in any war except in defence. And if we adopt a policy of peace, of non-intervention, of attending to our own interests, of not posing as arbiters of the whole civilized world, of not maintaining that no shot shall be fired in Europe except with our consent, we can adopt one scale of expenditure; but if we adopt an aggressive, interfering policy, we must pay for it. I want to call the attention of the House to the pressure this expenditure has upon the working classes of this country. There is a general opinion that our expenditure is a matter of very little import whether it rises or falls. A penny off or on the Income Tax is a matter of very trifling moment, and so it is to people of large accumulated fortune; but if we would realize how our taxation presses upon the working classes, and upon the class above the working classes, and how unfair and unequal it is in its incidence, you would see that there are other reasons, besides those of economy, in favour of a reduction. Our taxation is not only heavy, but it presses unfairly. The Chancellor of the Exchequer, in his Budget, proposes to place 3 per cent Probate Duty. Now, suppose a man dies worth £10,000. That is a large sum to be made, say, by a professional man by the exercise of his brain and the sweat of his brow. He is taxed at once £300. Another man dies worth £1,000,000, and you tax him £30,000. Do you mean to tell me the incidence is the same? But where do you levy the bulk of the taxation? You do so upon articles of daily consumption. You levy it upon the pennies; and those pennies are a serious item in the weekly income of the working classes. You levy it upon tea, coffee, tobacco, and beer, and these are the necessities of every working man's daily life. The tax upon tea is from 20 to 25 per cent; tobacco is taxed between 300 to 400 per cent. The tax upon beer is something like a farthing a pint. These are considerable taxes; and if the working classes of this country ever realize—and the day will come when they will realize—the amount they pay out of their weekly earnings for the taxation of this country, they will, as Sir James Graham said about another tax, want to know the reason why. The average earnings of the artizan class are from £2 per week to £1 per week, and with a tax of 25 per cent for one necessity, and 300 or 400 for another, you are subjecting them not only to a heavy pressure of taxation, but to an unequal pressure which no other class suffers. I hope the day will soon come when the working classes will ask to be relieved of this burden; and it is wise on the part of those who manage our financial affairs to make ready for a rainy day by the reduction of the extravagant expenditure of this country. I had intended to call attention to what the Prime Minister uttered during his memorable campaign in Mid Lothian. No one spoke in stronger terms, or denounced in severer language, the extravagance of the late Administration, and we as Liberals are bound to strengthen his hands. I do not believe he has changed. I believe he is the most economical Chancellor of the Exchequer that ever held the reins; and if the House of Commons will back him, he will be prepared to carry out practically and to good effect those principles which have been the principles of his financial administration, and upon which he took Office. I ask the House to pass no censure on this Government or on that Government; but I do ask you to affirm the fact that the expenditure of this country has gone on recently and rapidly increasing, and to express your opinion that it is the duty—I think it is the first duty of Her Majesty's Government to take immediate steps to diminish that expenditure.

Motion made, and Question proposed,

"That, in the opinion of this House, the recent increase in the National Expenditure demands the earnest and immediate attention of Her Majesty's Government with the view of effecting such reductions as may be consistent with the efficiency of the Public Service."—(*Mr. Henry H. Fowler.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Nine o'clock.

# HOUSE OF COMMONS,

*Wednesday*, 18*th May*, 1881.

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MINUTES.] — Select Committee — Herring Brand (Scotland), Mr. Orr Ewing *added.*

Public Bills—*Ordered—First Reading*—Local Government (Ireland) Provisional Orders (Ballymena, &c.) * [173]; Imprisonment for Debt Abolition * [170]; Industrial and Reformatory Schools (Ireland) (Loans) * [172]; Erne Lough and River * [171].

*Second Reading*—Local Government (Ireland) Provisional Orders (Bandon, &c.) * [163];

Local Government Provisional Orders (Acton, &c.) * [159]; Free Education (Scotland) [6], *put off.*

*Considered as amended*—Local Government Provisional Orders (Poor Law) (No. 2) * [139].

*Third Reading*—Local Government Provisional Orders (Berwick-upon-Tweed, &c.) * [138], and *passed.*

## *ORDER OF THE DAY.*

### FREE EDUCATION (SCOTLAND) BILL.

(*Dr. Cameron, Mr. Baxter, Mr. Duncan M'Laren, Mr. Ernest Noel, Mr. Peddie, Mr. Anderson, Mr. Henderson, Mr. Mackintosh.*)

[BILL 6.] SECOND READING.

Order for Second Reading read.

DR. CAMERON, in moving that the Bill be now read a second time, said: After prolonged deliberations, Parliament has again and again, in the cases of England and Scotland, pronounced in favour of compulsory education, and on each occasion on which it has reverted to the subject it has extended the application of compulsion. In the first English Education Act the adoption of compulsory bye-laws was left optional. In the last Parliament, another Act was passed, and the result is that, according to the latest Report of the Committee of Council on Education, 73 per cent of the entire population of England and Wales, and 97 per cent of the borough population, are now under compulsory bye-laws. In the case of Scotland, a more summary method was adopted; and on the passing of the Scottish Act, I am happy to say, compulsory education became law from one end of the country to the other; but in the case of Scotland, during last Parliament, legislation was again invoked to make that compulsion more ready and effective. Having adopted the principle of compulsion in education, it was open to Parliament to follow one of two logical courses. It might either have laid it down that to educate his children was the duty of every parent quite as much as it was to feed or clothe them. It might have enacted that every parent must educate, as he must feed, his children, at his own cost, providing, in the one case as in the other, that where the parent, through poverty, was unable to do so, the parish should step in to ward off from the child intellectual, as it now does physical starvation. This course might have borne harshly on parents of the poorer class; but it would have had the merit that it would have left us free trade, which in education, as in other matters, insures competition and economy. The one duty of the State, through such local machinery as it might appoint, would have been to see that the minimum of education required was afforded; and we should have been saved from much responsibility, from many inducements to extravagance, from all interference with private enterprize, and from a costly machinery for the collection and distribution of grants and rates. Or Parliament, in dealing with the question from a logical standpoint, might have adopted another view. It might have held that as compulsory education had been enacted in the public interest, it was the public business to provide that education as far as it was compulsory. It might have decreed that schools of the sort required should be scattered over the country wherever needed, and that the education therein afforded should be free to all. But in dealing with this question, as with every question of practical politics, the Legislature found itself face to face with existing interests; and the result was, of necessity, a compromise. Notwithstanding the great simplicity and the many advantages of non-subsidized compulsory education—of a system compelling the parent to provide education as he provides food for his children—Parliament put that course and the arguments on which it would have rested entirely aside. It acknowledged the principle that, the compulsion being decreed in the public interest, the public should pay for it, and that wherever through poverty the parent was unable to contribute anything to the education of his children, the entire cost should be defrayed out of public funds, without entailing upon him the stigma or disabilities of pauperism; but when, in addition to contributing his quota to the educational rates and taxes, the parent could be made to pay fees as well, Parliament decreed that he should do so. There was no logical justification for this course; but Parliament adopted it in the interest of existing voluntary and adventure schools. Or, probably, more correctly speaking, in the interests of the voluntary denominational schools alone, for the elementary adventure schools, having neither rates nor subscriptions to fall back upon, are rapidly succumbing to the subsidized competition to which they are exposed, and will soon in Scotland be a thing of the past. The result is, that for every child in average attendance at our Scottish board schools — and, as the House knows, school boards are universal throughout Scotland—for each child in average attendance at our board schools the public pays, in the shape of grants and rates for instruction and school maintenance, £1 10*s.* 11¾*d.* a-year; and in the shape of interest on the cost of buildings at least another 8*s.*, or, say, £1 19*s.* in all. On the other hand, the parent of each child so attending, besides paying his share of the rates and taxes required to make good the public subsidy, has to pay on an average 12*s.* 5½*d.* in addition in the shape of fees. According to the last official Report, more than half the children at board schools in Scotland pay between 4*d.* and 6*d.* per week of fees, and a little over a third of them less than 3*d.* The fees at our board schools have, in fact, been generally fixed on the principle of being as nearly as possible those which ruled in the different localities previous to the passing of the Education Act. I know that this is the case in Glasgow, and I believe that the same principle was generally adopted elsewhere. The parent, therefore, finding himself charged very much the same as before, though probably for a superior education, is not sensible of the advantage which he derives from the State subvention. The school fees of his children continue to be to him the same burden as they were before. He must send them to school; but he need not send them regularly, and when they are absent he feels—I speak of the class of parents for whom compulsion is necessary—he feels that he can not only turn their services to account at home, but that he is saving the fee, which, being equal to the old fee, is to his mind full value for whatever benefit they gather from school attendance. The consequence is, that whatever obstacle the fee presented to regular school attendance before the passing of the Scottish Education Act, it presents still, and in order to overcome it we are obliged to employ an elaborate and costly machinery of compulsion. We endure in that respect all the drawbacks that would have been incidental to the adoption by Parliament of a policy of unsubsidized compulsory education; while we have sacrificed all the advantages which the adoption of that system would have carried with it. Free trade in primary education is defunct. Primary adventure schools are already all but extinguished. Voluntary schools supported by those denominations to which the mass of the population of Scotland belong—Presbyterian denominational schools—are being so rapidly absorbed into the public school system that their total extinction is also only a matter of a few years. The only class of voluntary schools which, in Scotland, can possibly hold their own against the public schools are the Episcopal and Roman Catholic schools; and their number is only 196 out of 3,003 schools in receipt of Government grants. Under our present system of maintaining what, in the course of a few years, must become almost entirely a public school system, the collection of the fees, which yield less than a fourth of the total cost of the education of each child, involves as much book-keeping and time and labour as would the collection of the entire sum by fees; and the exaction of those fees conduces to absenteeism and irregular attendance practically to the same extent as the fees did before 1872. The retention of the fee necessitates lavish expenditure to carry out compulsion in towns, and in the country makes effective compulsion impossible. On the other hand, putting aside the grants in aid, which are competed for by all alike, the payment in the case of board schools of about 2*d.* out of the public rates for every 1*d.* gained in the shape of fees extinguishes private competition as effectually as if the entire 3*d.* were thus defrayed and fees altogether abolished. It involves the same cost for collection, and it equally conduces to that extravagance which characterizes public as compared with private undertakings. How deeply the nation is interested in promoting the education of every child may be judged from the enormous sums paid out of the public purse with that object. In Scotland—to which, for reasons presently to be explained, this Bill alone relates—the annual grants to elementary day schools from the Imperial Exchequer amount to close on £350,000, and each year's school rates are over £200,000 more. Already, in six years, £2,200,000 has been provided out of the public funds—£450,000 in the shape of building grants by the Exchequer and the remainder at the expense of the localities, to erect school accommodation. And what results have we achieved? There were in Scotland, in 1879, 650,000 children between 5 and 14, exclusive of about 108,000 who received instruction in schools of a higher grade than those aided by the Education Department. Of these only 482,000, or 74¼ per cent, were on the registers of State-aided schools; and of these only 385,000 were in average daily attendance—385,000 out of 650,000—or under 60 per cent. There was accommodation in the Board schools alone for 50,000 more than the total average attendance at all the elementary schools. This was the result of all our expenditure and our elaborate system of compulsion. Now, there is no question that, much as this leaves to desire, it is a great advance upon the state of things which prevailed before the passing of the Act of 1872. But what we have to consider in connection with the question of retaining or abolishing school fees in public schools is this. What effect have these fees in frustrating the object of all our legislation and expenditure—what effect have they in keeping away from our schools the 25 per cent of the children of school age who are not upon the roll, or the 41 per cent of the children of school age who are daily absent from school? Granted that the Education Act has given a great impetus to education in Scotland, how much of that impetus is due to the enactment of compulsion, and how much to the subsidies to public schools which, under that Act, are paid from the rates? Well, let us try, in the first place, to solve the latter question. The essential difference in the case of our primary schools in Scotland before and after the passing of the Act was this—that previously to it the schools were all supported by fees and what they could earn on the principle of payment by results from the Government grant; and, of course, in the case of voluntary schools by subscriptions. Since then the position of schools other than board schools has remained practically unaltered. They, in common with board schools, exact fees and earn their share of the Government grant. In fact, they remain, so far as the financial arrangements are concerned, as they were; and the only change in their position is that introduced by the competition of the board schools, which, in addition to fees and earnings from the grant, receive from the local rates a subsidy, including interest on buildings, of 22*s.* per pupil in average attendance. Compulsion has operated all round; and it is a noteworthy fact that, in the one class of schools which has refused to have anything to do with the school-board system — the Roman Catholic schools—the increase has been quite as remarkable as in the case of the board schools, and those Presbyterian denominational schools which are being rapidly merged into them. In illustration of this fact, I may mention that in Glasgow, which possesses by far the largest Roman Catholic population of any town in Scotland, the number of pupils in attendance at elementary Roman Catholic schools had increased from 5,000 in 1873 to 9,000 in 1880, or 80 per cent, which is a little over the increase that the aggregate attendance at the Presbyterian schools, sessional and board, shows over the sessional schools which, in 1873, educated the same class of children. This fact, I think, points out that in Scotland compulsion has had more to do with the increase in number of children attending our schools which has taken place since 1873 than the large subvention, amounting to close on 2*d.* out of every 3*d.* drawn as fees, which the board schools receive from the rates. Let us now, on the other hand, look at what can be done in the way of promoting public education, by means of the abolition of fees without the assistance of compulsion. There are in Scotland 758,000 children between 5 and 14, of whom 482,000 are on the registers of schools aided by grants, and we are told that a seventh more of the entire number receive instruction at schools of a higher grade. This would bring the entire number receiving instruction up to 590,000 out of 758,000, or under 78 per cent. In America Free Education has been adopted in one State after another, and since 1871 it has been universal throughout the Union. In some States there has been a nominal compulsion; but, with the exception of Massachusetts, at the date of Mr. Adams's visit, compulsion had been found more or less inoperative, owing to the nature of the method adopted. But, as I have said, fees had been done away with, and the result was that in 1873 in 17 States of the Union—I quote from Mr. Adams's work on free schools in the United States—the enrolment of children, without distinction of age, colour, or nationality, in private and public schools, exceeded the entire number of children between 5 and 15 years of age, and in three other States it ranged from 88 to 91 per cent of the children between those ages. In the Report of the Commissioner of Education for 1872, quoted by Mr. Adams, statistics are given of the school attendance in 50 of the principal cities throughout the Union, ranging in population from New York City to Nashville, Tennessee. From these statistics, the Commissioner arrives at this conclusion—

> "If the enumeration of the school population of all the cities were confined to the population between 6 and 16 years of age, and the number of children at parochial and private schools were fully reported, the total enrolment in the public and private schools would probably cover about 90 per cent of the youths between those ages."

As for the average attendance, enrolment being so universal and the maximum school age being higher, it is not easy to institute a comparison between the state of things found in America and that which exists in Scotland; but in Scotland the average attendance at elementary schools is 385,000, and the total number accounted for in higher grade schools is 108,000. If we assume the latter, then, to be in constant attendance, the total number of children between 5 and 14 being 758,000, it will give us a ratio of average attendance to total children between those ages of 65 per cent. This 65 per cent of the total population between 5 and 14 would be equal to under 59 per cent of the total population between 5 and 15, which is the age on which the American results are calculated; and the figure I have taken, assuming, as it does, a constant attendance on the part of one-seventh of the whole number of children — those attending higher grade schools—is, of course, above anything which could possibly be attained. Nevertheless, from a table in Mr. Adams's book, showing the ratio of average attendance to total population between 5 and 15 in 31 States in the Union in 1873, we find that in 14 States the figure of 59 per cent was exceeded, and in five States the ratio ranged from 70 to 80 per cent. These facts seem to me to prove that if you want to get the best value in the shape of universal public instruction out of the enormous sums of money annually spent in subsidizing our educational system, you will succeed better—if your choice is restricted between compulsion and Free Education—by adopting the system of Free Education than by the method of compulsion; and that, in a system compulsory and only partially free, you will, while incurring the cost and disadvantages of both systems, accomplish little more than you might accomplish by means of the unsubsidized compulsory system alone. Committed as the nation is, and especially as Scotland is, to enormous investments in school property, I do not think that the possibility of withdrawing all contributions from rates, and insisting on the parent bearing the entire cost of a compulsory education will suggest itself to anyone. The practical problem, therefore, comes to be a comparison between the present system and a compulsory system uncounteracted by the antagonistic influence of fees. If 14 States in America, by means of Free Education, were seven years ago able, without effective compulsion, to show a better state of things than we can yet do by means of compulsion and education free to the extent of three-fourths, it shows, I think, that with a compulsory system such as we possess, and education entirely free, we might accomplish the object for which we pay so much still better than is done in those 14 States. You already pay out of public moneys 15*s.* of every £1 spent on public education; and if you find that the exaction of the remaining 5*s.* in the shape of fees largely neutralizes the effects of all your expenditure, it comes to be a very practical consideration whether it would not be wiser to drop the fees altogether and see whether you cannot get full value out of the 5*s.* they now produce raised in some other manner. I do not think this is an experiment which the nation should be called on rashly to adopt; but I maintain it is one of which it is most important we should have an opportunity of ascertaining the results, and, therefore, one which Parliament should encourage rather than forbid. I therefore propose to make the adoption of

Free Education permissive. The Bill, of which I shall move the second reading, applies only to Scotland. I have restricted it in this manner for several reasons. In the first place, we have the entire country governed by school boards and under a compulsory system of education. Again, as regards voluntary schools, England and Scotland stand upon an entirely different footing. In England there are 14,000 voluntary schools against 3,100 board schools, and the attendance at the voluntary schools is three times what it is at the board schools. In Scotland, on the other hand, the board schools already outnumber the grant-earning voluntary schools by over 4 to 1, and these voluntary schools—with the exception of that portion of them maintained by the Roman Catholics and Episcopalians — are annually decreasing, and in the course of another decade, unless some very decided change occurs, will be almost extinct. To show how diverse is the tendency in the two countries, contrast what has occurred in England and Scotland. In England, in 1870, there were 8,281 voluntary schools in receipt of Government aid, with an average attendance of 1,152,000 pupils. In 1879, the same class of schools had increased to over 14,000, and their average attendance to 1,925,000. In Scotland, on the other hand, since the passing of the Act, the number of voluntary schools has decreased from 1,900 in 1872 to 629 in 1879. In what are called the "sessional and other" schools, a class which may be described as Presbyterian voluntary schools, in Glasgow, for example, the number of pupils on the roll, which, in 1873, was 27,000, has progressively gone down to 12,000 in 1880. In England the public schools may be making rapid strides, but the voluntary schools are also advancing, and still constitute by much the larger part of the national educational machinery. In Scotland, on the contrary, the board schools are monopolizing elementary education of every kind, with the exception of that desired by the Roman Catholics and Episcopalians, who in Scotland constitute but a small fraction of the population. It may take some time before the others are completely absorbed; but absorbed, if the present state of things goes on, they must be in a comparatively few years. In 9 out of every 10 school districts in Scotland there are neither Roman Catholic nor Episcopalian schools. In a vast number of parishes all the Presbyterian schools have been handed over to the school boards, so that board schools are now the only schools in existence. Their revenue consists of rates and fees and what they can earn by results from the Department. So far as the latter are concerned, the Department in its gigantic expenditure can have only one object; and, provided the efforts of the school board tend towards that object, why should they not be allowed to manage their local contributions in their own way? In some districts there may be objections to the abolition of fees. In some places they may amount to a respectable sum, and the number of children educated outside board schools may be such that Free Education, by bringing them in, would largely increase the rates. In a number of instances, the process of absorption of the voluntary schools has not yet gone far enough, and the locality is not yet ripe for the total abolition of fees, though it will be in a few years. But in many others the board schools afford the sole means of education, and the fees amount to a mere bagatelle. There are many districts in which the fees are really not worth collecting; and the local opinion is that it would be much better to do away with them altogether, and meet the entire expense by another ¼*d.* or ½*d.* or 1*d.* in the pound of assessment. I hold in my hand a Return—No. 35 of this Session—which, to be candid, I obtained by mistake. I asked for certain particulars regarding a dozen towns in Scotland; and, through the misplacing of a comma, the information was furnished for all the school boards in Scotland. Sir, I am grateful for the mistake, for it has shown a case for Free Education in many of the remoter districts, of the strength of which I had no conception. It shows that in one school district—Kintail—where 1*d.* in the pound produces £21 15*s.* 7*d.*, the fees received during the year ending June, 1880, amounted only to 13*s.* It shows that in Barra, of £2 17*s.* 4*d.* received in the shape of fees, £1 5*s.* 5*d.* was paid by the Parochial Board; that in Stenscholl, of £3 19*s.* 3*d.* received as fees, the parish paid 6*s.* 10½*d.*; and in Moy, where 1*d.* in the pound produces £35, against £4 5*s.* of fees, paid by parents, £2 17*s.* 11*d.* was paid by the Parochial

Board. It shows that in many other places the net fees received during the year amounted to less than £10; and it shows, further, that in 182 out of 930 school board districts, or one-fifth of the entire number, the total fees not paid by Parochial Boards were less than the produce of a rate of 1*d.* in the £1. This accounts, doubtless, for the fact that at a conference of the Highland school boards held at Inverness in January, 1875, a resolution was passed that—

> "Having regard to the fact that in some instances the amount of recoverable school fees does little more than pay the cost of the collector, and for other reasons, it should be at the discretion of school boards to give free elementary education to all children between the ages of 5 and 13;"

and this probably accounts for the fact that the Town Council of Inverness has petitioned in favour of my Bill, which practically embodies that resolution. What is the result of the exaction of fees? I give it in the words of an Inspector of Schools in Scotland, who wrote me privately, in consequence of a report which he had seen of a lecture I last year delivered on Free Education. He says—

> "I write to say how heartily I agree with you in the matter of Free Education. No one who has not the sort of practical experience which an Inspector of Schools interested in the matter possesses can have any idea how enormously the efficiency of our present educational system is lessened by the ridiculous custom of making the parents pay 3*d.* for 1*s.* worth of education. Children are kept back weeks and weeks from school in order to save the fees, so that, in many country districts, nearly two months of the school year are practically lost. If a child is ill on Monday, he is kept away from school for the whole week, lest the parent should pay 3*d.* for what he wrongly supposes to be worth only 4-5ths of 3*d.* If the parent cannot pay at all the child is often kept away, while the board, parish, and sheriff indulge in a kind of triangular duel."

He goes on to say—

> "Consider the very common case of a child who thus loses 22 weeks (one-half the school year). He only pays 5*s.* 6*d.* in fees—if he pays them—and the school not only loses the 5*s.* 6*d.* which he does not pay, but the 15*s.*, or other sum, which he might, if qualified, have caused to be added to the general grant. Thus the parish is a dead loser to the extent of 9*s.* 6*d.* A great deal of school-time is taken up in collecting fees. It is said that the people will not value the education they do not pay for. At present we know that they value it at less than what they pay for it, and have no conception of its real value. Wherever it is free, as at our Heriot Schools, in Switzerland, in the Tyrol, in Bohemia, America, &c., people do value it, and feel that the children lose something when not sent to school. It is a remarkable fact that in Switzerland and the Tyrol compulsion is not needed. The compulsory officer does not exist, and the idea of a child of school age not being sent to school is not dreamt of. This I know from personal experience."

As illustrating further the results of our present system, here is an extract from a letter I received some months ago from the master of a board school in Lanarkshire. The writer says—

> "An instance of the absurdity of the present system has occurred in this district. I stated some of the particulars in a former letter to you. We have compulsory education, but the only way our school board has of enforcing payment of fees is to exclude children unless they pay fees weekly in advance. This system has increased the irregularity in attendance very much. No fee, no admission to school. The case to which I allude was that of . . . . The children were dismissed for the want of fees in the end of April last year. The Parochial Board refused to pay for them; the Sheriff declined to commit the parent on the ground of his poverty. In a new action the Sheriff found the Parochial Board liable to pay the fees. The Parochial Board appealed to the Sheriff Principal, who dismissed the appeal as incompetent. The Parochial Board took the opinion of counsel as to the effect of an appeal to the Court of Session. This not being favourable to the views of the Parochial Board, they, a week or two ago, signed an order through the Inspector of Poor to admit the children to the public school at the expense of the Parochial Board. But before this decision has been arrived at, four or five times the amount of the school fees have been expended in the various legal processes, and the man's four children have been excluded for the last eight months."

Under the system of the working of which that is a practical example, the fees of 16,000 children in Scotland are paid by the Parochial Boards; and in a large percentage of these cases there is much wrangling, litigation, and delay. Now, of course, in all these cases you have Free Education—education paid for entirely out of the public purse—in the worst and most demoralizing form possible. Of course, too, the parents of school boards are not always successful in throwing the fees upon the parish, and in these unsuccessful cases there is further wrangling, and litigation, and interrupted education. Again, a vigorous application of compulsion may bring the children to school; but, as we have seen, it cannot make them attend regularly. The more respectable classes of our poor will not send their children to school exposed to the insult of being turned back for non-payment of fees, and if they have not the fee to send with them they keep them at home. The result is that the efficiency of the school is so much impaired. The expenditure of public money on it is in so far wasted, and the board is deprived of the opportunity of earning so much of the Government grant. Now, some of the shrewder boards have come to see this; and in Glasgow, for example, according to the Return No. 18 of this Session, from which I quote the fact—

> "The Board having given instructions to the teachers to deal leniently in cases of arrears when they were satisfied of the willingness of the parents to pay,"

during the year of depression ending in June last, £1,233, or over 6 per cent of the whole fees payable otherwise than by Parochial Boards at the ordinary day schools, was left unpaid; 7,900 pupils, or over one-fourth of all the pupils paid for by their parents, ran into arrear. The result of this—I may mention in passing —was that, notwithstanding the exceptional depression of the year, the average attendance at the board schools showed a decrease of only one-fifth of 1 per cent on the previous year; while in the voluntary schools of Glasgow generally, the decrease was 2½ per cent, and in the sessional schools, which educate the same classes and the same denominations as the board schools, it was 1½ per cent. To illustrate the kind of no-system with regard to fees which prevails in our Scotch board schools, I may mention that in the case of Glasgow, besides the 7,900 who had the £1,200 worth of their fees practically remitted by the school board and 3,141 who had their fees paid by Parochial Boards, there is a rule exempting from fees the eldest of four pupils of the same family attending school, and charging only half-fees for the eldest of three. Under that rule, 726 children were exempted from fees, and 2,118 were charged only half-fees. Adding these figures together we find that 13,885 children, or nearly half the number on the roll of our Glasgow School Board, last year had their fees either wholly or partially remitted or paid out of the rates, and that, in a large number of their cases, the education so provided was not elementary, but the most advanced provided by our board schools. Notwithstanding all this liberality, it costs Glasgow over £4,000 a-year to keep up its compulsory machinery, and the efforts of the school board in that direction are attended with only this success, that 63 per cent of the children between 5 and 13 are on average attendance at any school. Now, though I have adduced the case of Glasgow by way of illustration, I do not mean to say that Glasgow is at all ripe for Free Education. I believe that in the course of another five or six years it will be so; but at present the same difficulty exists which would exist to the adoption of Free Education in England, though to a very much smaller extent. There are too many children being educated outside the board school system in voluntary schools. These, however, as I have more than once said, are being rapidly absorbed into our board schools; and when that is accomplished to a greater degree than at present, it will be time enough to consider the desirability of abolishing fees. Edinburgh, on the other hand, has already a large number of free elementary schools supported by endowment. Nearly 5,000 children receive Free Education at these Heriot schools, and when, some years ago, it was proposed to charge a small fee in order to enable a larger number of children to receive a very cheap education, the artizans rose in arms against the proposal. They have there seen the extraordinary regularity of attendance, and the success which the free school system has achieved. They know that the percentage of absenteeism at the Heriot schools is a mere fraction of that which exists at the board schools. The result is that Edinburgh is quite ripe for the experiment. In Edinburgh the gross amount derived from board school fees is little over ¾*d.* in the pound of rating. Various authorities have estimated that the abolition of fees would be met by an extra 1*d.* of rates, and not merely the artizans, through their Trades' Council, but the Town Council of Edinburgh, have petitioned in favour of this Bill. Elsewhere, where public opinion has found expression regarding it, it has been expressed in opposite directions very much according to the position of those concerned. The working classes, who constitute the vast majority of those whose children attend board schools, who are familiar with the hardships and inequalities of the present system, and who inhabit cheap houses, see that it would be much better for them to bear almost any extra rates than to pay fees. The wealthier classes, on the other hand, whose children derive no benefit from board schools, and who pay higher rates, naturally dislike the prospect of further assessment; and the Roman Catholics, who dislike the entire school board system, have also pronounced against my proposal. Well, it may be said that it is the duty of Government to protect these classes against any act on the part of the rest of the community which would lay additional taxation upon them. My argument is, that the law has given Government no such power, and intrusted them with no such duty. Provided only a fee is kept up each school district is left to adjust the ratio between its rates and fees for itself. Thus, in Birmingham, the fees paid by each pupil in average attendance are only 6*s.* 7½*d.*, and the rates contribute 17*s.* 10½*d.*, besides interest on cost of buildings. In London, fees average but 8*s.* 11*d.* a pupil, against rates to the amount of 31*s.* In Glasgow, on the other hand, we pay 16*s.* per scholar in the shape of fees, and only 10*s.* 9*d.* from the rates; while in the neighbouring burgh of Govan, where the fees are 14*s.* 1¾*d.*, the rates only contribute 4*s.* 7¾*d.* per scholar. Now, what is to prevent us cutting down our fees to one-half of their present amount? The difference would, of course, require to be made good out of rates; but our fees would still be above those of Birmingham, and not much below those of London. Independently altogether of what Government may decide regarding this Bill, I trust that this is a course which the school board electors will insist in adopting on the first available opportunity. It may be convenient that I should now compare the Scotch and English law on the subject. For not only, as I have pointed out, does the public education in the two countries stand on quite a different basis as regards the proportion of the work done by voluntary schools, but as regards the imposition of fees it is different also. The section of the English Education Act which regulates the fees to be charged is the 17th, and reads as follows:—

> "Every child attending a school provided by any school board shall pay such weekly fee as may be prescribed by the school board with the consent of the Education Department; but the school board may from time to time, for a reasonable period not exceeding six months, remit the whole or any part of such fee, when they are of opinion that the parent of such child is unable from poverty to pay the same; but such remission shall not be deemed to be parochial relief given to such parent."

Section 26 of the same Act entitles the school board, with the consent of the Education Department, to establish free schools; but both sections provide that nothing can be done without the consent of the Education Department. In Scotland the law which regulates the levying of fees is laid down in the 53rd section of the Act of 1872, as follows:—

> "The school board shall, subject to provision hereinafter contained with respect to the higher class public schools, fix the fees to be paid for attendance at each school under their management, and such fees shall be paid to the treasurer of the board, and a separate account shall be kept of the amount of the fees derived from each school; and it shall be lawful for the school boards, if they see fit, to pay to the teachers of a school the fees derived from such school, and to divide the same among them, as the school board shall determine."

Now, it will be observed that in these important particulars the law on the subject is different in the two countries. In the first place, while in England fees must be fixed with the consent of the Department, in Scotland they are fixed by the board alone. In England school boards are expressly empowered, subject, of course, to the same repressive control, to establish free schools, a point to which in the Scotch law no allusion is made; and, while in England school boards are authorized to remit fees, in Scotland they can only permit the parents to run into debt, or refer them to the parochial authorities for the money to pay them. Now, Sir, it may very fairly be argued that as the consent of the Department is never mentioned in the Scotch Act, it is not intended that the Department should interfere in the matter, especially as under the Code the only restriction placed upon grants is that only those schools shall be eligible for them whose fees are less than 9*d.* a-week. But, on the other hand, it is argued that if Scotch boards were intended to have the power of Free Education, it would have been explicitly conferred upon them as under the English Act, and then there would have been no provision for the payment of fees by the Parochial Boards. On this view the Education

Department act, holding that it is not legal for a school board in Scotland to abstain from charging fees altogether; but, on the other hand, as it was customary for teachers before 1872 to make a reduction, or even entirely to remit the fees in the case of a third or fourth child of the same family attending school, it is not illegal for a school board to continue the practice now the fees are payable to their treasurer, instead of, as formerly, to the teacher himself. Under this interpretation of the law—which, I may mention, is that of the Scottish counsel of the Department—permission has, I understand, been refused to school boards who wished to abolish fees altogether, or to reduce them to a mere nominal sum. For the Department, although not entitled to be consulted in fixing the fees to be charged, can withhold the grant when the school board acts in an illegal manner; and although there has been no judicial decision as to what are or what are not the legal rights of Scottish school boards in the matter of fees, the Department—as controller of the purse—is master of the situation. Having thus explained the difference between the two countries in their respective laws regarding fees, and the place occupied by voluntary schools in their respective systems, my contention is that the position assumed by the Education Department towards England and Scotland should take into consideration the differing circumstances of the two Kingdoms. In England, where voluntary schools perform the principal part of public education, and where the Education Act has expressly given the Department a veto power on education solely at the expense of the rates, it may be quite proper that the Department should interfere to prevent a system which would alienate the voluntary schools. But in Scotland, where the existence of such a power on the part of the Department is purely constructive, and where the voluntary schools constitute not one-fifth of the elementary school system, when the most important portion of them is being rapidly absorbed by the board schools, and where in hundreds of parishes board schools are the only existing State-aided schools, my contention is that each locality should be left to manage the local finances of the board schools as it likes. If a locality finds—as expressed in the resolution which I have quoted of the Highland school boards—that the fees do not pay the trouble of collection, and frustrate the effort to get the children to school, I maintain the locality should be at liberty to abolish them. I do not ask any money from the Government to enable boards to do so. I do not propose that they should receive any extra grant; but I say that the fact of their preferring to earn that grant in the way that best suits their local circumstances should constitute no bar against their competing for it. This proposal involves no complication, no re-adjustment of grants, no injustice to England as compared with Scotland, no injustice to districts where fees are charged as compared with free school districts. So far as the Department and the Imperial Exchequer are concerned, were this Bill an Act, the present arrangement of grants would work perfectly fairly and perfectly well. You do allow school boards the widest latitude at present as regards the apportionment between fees and rates of their local contributions to public education You allow them any latitude, from Kintail with its total of 13*s.* of fees to £174 of rates, to Govan with its 14*s.* of fees to 4*s.* 7¼*d.* of rates. On what principle do you insist on Kintail keeping up a system which yields it only 13*s.* a-year, or a dozen other districts I could cull from the Return levying fees which do not amount to more than £5 or £10? You allow the school board of prosperous North Berwick to levy a rate of 1*d.* in the pound, and to charge fees which do not amount to what another 1*d.* would yield; while in other districts the rates run up to 1*s.* and 2*s.*, and even 3*s.* in the pound, though the total fees paid—as in the case of Mid and South Yell—may not equal the 70th part of the amount raised by assessment. There is no principle involved in this, except the principle of local self-government; and if you admit that to the extent you do, it is absurd not to admit it altogether. Parliament has swallowed the camel, and I do not see on what ground the Department should strain at the gnat. Parliament has laid down the principle that it is the duty of each locality to tax itself for public schools; but the extent of that taxation it has left to be decided by the school board, and the school board electorate of each district. On these Parliament has laid the responsibility of deciding how much of the local contribution shall be raised by fees from those who send their children to the schools, and how much by the rates from those who may send them, or may refuse to send them, to board schools as they please, but who must pay the rates all the same. These rates may not amount to one-third of the fees, as in the case of Govan, or they may amount to 70 times as much as them, as in the case of Kintail; but the Department has nothing to do with that. That is a point on which the school board and its electorate have absolute power, and my proposal would introduce neither any new principle nor any hardship to which any class of ratepayers are not at present exposed at the hands of the same school boards, which I propose to authorize to decide as to the retention or abolition of fees. Now, I, of course, know all the hackneyed arguments against Free Education in the abstract; but there is not one of them which applies more to education absolutely free than to education three-fourths free, as is the average in board schools in Scotland, or four-fifths free, as is the case in the London board schools. We are told it is incumbent on every man to feed and clothe his children; but the State does not pay for their food and clothing. Of course not; but neither does it defray for the parent 9*d.* out of every 1*s.* expended on their food and clothing; in fact, it recognizes no analogy between the two cases. But, again, it has been argued against my proposal that it is demoralizing, and by one or two critics that is un-Christian—that it would pauperize our population and secularize our education. I should like to know how it would pauperize them. If payment from the public purse of the cost of public education pauperizes the beneficiares, the parents of all children at public schools in Scotland are already demoralized and pauperized to the average extent of 15*s.* in the pound, and the operation has done them so little harm that I am not afraid of the result of the other 5*s.* As I have explained, the eldest of the three children is commonly charged only half-fees, and the eldest of four gets Free Education pure and simple. Are they more pauperized and demoralized than their brothers and sisters; and, if so, why is so easily rectified a source of demoralization allowed to continue? As to secularizing our schools, my proposal would leave them precisely where they are. The law provides that the school board constituency of each locality shall elect school boards, who carry out the wishes of the majority with regard to religious instruction. I neither propose to alter this arrangement, nor do I propose to alter the constituency. How, therefore, my proposal could in the slightest degree affect the present situation of religious instruction in public schools I entirely fail to apprehend. The fact is, that the provision of public schools entirely by rates has no more to do with demoralization, or pauperization, or secularization than the maintenance of streets entirely by rates, or the erecting of bridges, or the support of the police, or any other provision for the common safety and welfare which in every civilized community is made at the common expense. That expense, in the case of local services, is borne by local rates, and the incidence of those is regulated by principles which may not be absolutely fair and just, but which are well understood, and which are applicable to rates for every purpose alike. The dirty may not like to pay the cleansing rate, the rogue may object to the police rate, and the ignorant man or the philosopher to the school rate; but while each may grumble each must pay, and the public services provided by the money thus raised are the right of all men, fully paid for by the contributions which the law requires them to make, be those contributions great or small. The present system of Free Education through the agency of Parochial Boards has, indeed, an admitted pauperizing effect; but for a citizen to send his child to a rate-supported free school would have no more tendency to pauperize him than to walk along a rate-maintained street or road instead of paying a toll at every couple of miles. It may be said that there has been no general demand for this Bill from Scotland, and that a number of Petitions from all sorts of people have been sent in against it. Were it a compulsory Bill, that might constitute an unanswerable reason for rejecting it; but it is permissive. If it were law to-morrow, each school board would be at perfect liberty not to adopt it. Because Glasgow is not ripe for Free Education, why should not Edinburgh have it if she likes? But, Sir, I am not in any hurry about passing this

Bill. I should not like to see the Government commit itself against a principle which I believe to be the correct principle of public education, and which is being adopted by one great nation after another; but I fully recognize the fact that Free Education, accompanied—as I think it should be—by local control, is not a thing to be forced on a nation. Next year, the school board constituencies of Scotland will have an opportunity of expressing their opinions, not indeed upon the question of free schools, for I am not sanguine enough to imagine that, whatever the fate of the second reading, Parliament will pass this Bill this Session; but they will, under the existing law, be able, if they choose, to indicate their bias, and to return Members pledged to cut down fees. They will have it in their power so far to pronounce in favour of Free Education as to resolve that the tax on school attendance in Scotland in the shape of fees shall not be more than it is in London or Birmingham; and if they do so, they will for themselves have bridged over half the distance to Free Education, they will have accomplished half what I am contending for. With every step they make in the direction of cheap fees, a portion of the financial argument against Free Education will disappear. In the United States education has been free from one end of the country to the other for the last 10 years. One British Colony after another has adopted Free Education. In Europe, for a long period, it has been the system of Holland, Switzerland, and Sweden. In Vienna, in 1878, there were 59,000 children receiving Free Education, and in Berlin 76,000. And this very year the French Government has passed a law abolishing fees in all public primary schools throughout France. If, therefore, as a nation, we are to hold our own with other civilized communities in that intelligence and preparedness for the battle of life which education is intended to call forth, it is evident we must not lag behind the rest of the world in the facilities we afford for education. In Scotland our educational machinery is perfectly adapted for the change, and I propose to have recourse to it only where the public want it. If it should cost a little more money, I do not ask the Education Department to supply it. I ask them only to give us permission to take off the brake. In conclusion, I have to thank the House for the patience with which it has heard me, and I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Cameron.*)

Colonel BARNE, in rising to move, as an Amendment, that the Bill be read a second time that day six months, said, he felt bound to apologize, as an English Member, for having put that Amendment on the Paper; but he did so last night on finding that no one else had given Notice of opposition to such a pernicious Bill. The, as he considered it, first thing that struck one on looking at the Bill, and the names of the hon. Members on the back of it, was the absence of any County Members' names. He would like to know whether the hon. Member who introduced the Bill (Dr. Cameron) had asked any County Members to back the Bill? [Dr. Cameron: The County Members will, some of them, support it.] If there were County Members who were going to support the Bill, he could not help thinking that in the next Parliament they might, perhaps, not have the honour of their presence. The chief reason he had for objecting to the Bill was, that it must have the effect of demoralizing the artizans and labourers of Scotland at the expense of the rest of the ratepayers. Another reason he had for objecting to the Bill was, that if the principle of the Bill was passed, it would in all probability spread its pernicious influence towards England; and he must say, on the part of his constituents, that they had the strongest objection to the spreading of any such influence in that direction. Another reason that he had for opposing the Bill was that he was very fond of the Scotch, and, generally, he had no wish to see them demoralized. If the Scotch people would drink less whisky, and be a little less Radical, he would like them still better. The Bill appeared to him to illustrate the objections entertained by many persons to the lowering of the franchise further than it was already lowered. They must perceive how prone people were to pander to the desires of the lower portion of the populace, in whom the greatest power in the boroughs was at present placed, and to try in every way to sacrifice the interests of the larger ratepayers to those of the smaller, and those who were not ratepayers at all. It reminded one of the French Revolution—of Robespierre and of Danton, who used to fawn on and pander to the mob, and who called them "Good people, generous people, noble people," these same people being the frequenters of the lowest purlieus of Paris. No doubt, if the Bill did pass, in many places in Scotland it would come into operation. It was equally true that the small ratepayers outnumbered, as in England, the larger ratepayers; and, of course, it must be to the interest of the smaller ratepayers to have their children educated at the expense of the larger ratepayers, for the abolition of school fees must infallibly increase the rate. The Bill was one directly in favour of the artizans and the labourers, and, in the present agricultural and commercial crisis, it was, in his opinion, the labourers and the artizans who suffered the least, for their wages had fallen in very small proportion to the loss of profits sustained by their employers. If the principle of the Bill was carried out to its fullest extent, they might as well bring in a Bill to give each labourer and artizan a good hot meal every day at the expense of the ratepayer. The principle in both was identical, and he would not despair of seeing some such Bill as that he had indicated being brought in next year. He understood there were many Scotch County Members going to oppose the Bill. He would, therefore, leave the difference between the English and the Scotch Education Acts to their consideration, and to ask for information on that subject, as he must say that he had not studied the Scotch Education Act. The hon. Member (Dr. Cameron) had shown that the school fees formed a very appreciable part of the school expenses, and said that he found, in Scotland, parents were inclined, on various pretences, to keep their children back from school, in order to avoid the fees, and that the school boards were unable to collect those fees, except at a very great expense. In England, they did not find any great difficulty in collecting these fees. There was no difficulty at all in suing the parents for those fees, and if one or two examples were made of parents in this respect the difficulty would not be so great, for the rest would pay up without further trouble. The hon. Member said that Glasgow was not yet ripe for this Bill, but that Edinburgh was. He said the artizans of Edinburgh had petitioned in favour of it, and also the Town Council. Of course, if the artizans of Edinburgh were in favour of the Bill, and as they elected the Town Council, he could quite understand how it was that the Town Council were in favour of the Bill. The hon. Member also proposed to cut down the expenses of the school boards. If he would bring in a Bill to cut down lawyers' and doctors' fees, he (Colonel Barne) would heartily support him; but he was afraid he could not do so on this particular occasion. The Bill must infallibly add to the burden which already oppressed the land and the richer portion of the community; and, therefore, under all the circumstances, he could not support it, and begged to move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel Barne.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR EDWARD COLEBROOKE said, he believed the Bill of his hon. Friend (Dr. Cameron) was not supported by the public feeling of his constituents; and he was sure it was not supported by the public feeling of Scotland. He rose at the same time as the hon. and gallant Member (Colonel Barne) for the purpose of making an appeal to his hon. Friend, and the appeal he should make was, that his hon. Friend should rest satisfied with having ventilated the question in an able and most interesting speech, and that he should now withdraw the Bill; that he should leave the question to be considered for the next five years, by which time, in the opinion of the hon. Gentleman, public feeling would be ripe upon the question; and at the end of that time, if he then saw necessity for it, he could re-introduce it to the attention of Parliament. For himself, he (Sir Edward Colebrooke) was opposed to Free Education generally throughout Scotland or the United Kingdom; and, having that opinion, it occurred to him whether he should not give Notice of opposition to the Bill. In fact, he should have done so, but that he had been in some difficulty as to the present law on the subject. As he read the law, Free Education was within the discretion of any school board throughout Scotland—that was to say, they could impose such small and nominal fees as almost to amount practically to Free Education; and, therefore, he thought it would be better to allow them to go on exercising their discretion in the matter without interference. Further, they could not well discuss the Bill only as a merely permissive one, applicable to certain places, but must consider its bearing with reference to the whole of Scotland; and, if it were so applied, it would be very difficult for school boards in other parts of the country to get the people to pay fees. The consequences of this Bill were so serious, in fact, that the House should hesitate before committing itself in any form to the adoption of such a proposal. His hon. Friend, he thought, had advocated this question on very narrow grounds. He had discussed it almost from beginning to end with reference to its bearing on compulsory education. It was not said that the fees, as now levied, pressed so unduly on the working classes as to amount to a grievance, in which it was the duty of Parliament to relieve them. On the contrary, his hon. Friend's contention was that, as Parliament had done so much for the working classes, they ought to do everything for them. He could not follow his hon. Friend in that line of argument. He thought that, having put the schools on their present efficient footing, they had a right to expect that those persons who had children should contribute according to their means for their education. Then, with respect to the question of compulsion, he did not see any very great difficulty as to that. In the old times, the feeling in favour of education was so strong that there was little necessity for any compulsion whatever; and, although there were now certain cases in which the parents neglected their duty, still, as a principle, he thought the system formerly existing acted soundly; and he hoped the time would speedily arrive when they could return to it. He considered, therefore, the difficulties to which his hon. Friend had referred were of a temporary character, and he looked forward to the time when there would not be that difficulty of driving the people to school, but that the people would come forward to take advantage of the education offered them, and would not require the adoption of such compulsory rules as those proposed by the Bill under consideration. The question was a very large one, and before they adopted it one ought to consider to what it tended, because it was no light tax. If it were adopted, then the rates to be levied should not be employed for the benefit of a certain class, but for that of all, as was the case in the United States of America, where large sums were raised for education; and that American system was what they would have to look forward to and to face if they agreed to the principle of the Bill. What would be the pecuniary result if the Bill became law? It would throw an additional £250,000 upon the ratepayers of Scotland. Even then it would not have the effect of entirely breaking up the adventure schools, though he believed a great blow had been dealt to such schools owing to the fact that the school boards in general had adopted the principle of religious education. He thought the ratepayers had a right to be considered; and, considering how heavy local rates were now, some better ground should be given than the ground given by his hon. Friend as to why they should adopt so sweeping a measure. Moreover, if they were to go the length of the United States system, they would run the risk of reviving the religious difficulty which had been practically set at rest by the compromise which had now been arrived at. The difficulties to which his hon. Friend had alluded were of a temporary character, although, no doubt, in Glasgow they were very great, as 20,000 children were swept into the schools under the operation of the Education Act, who formerly received no education at all. But he (Sir Edward Colebrooke) was in hopes that in the course of a short time those difficulties would cease altogether, and parents would recognize fully the advantage of sending their children to school without being compelled to do so by law. His hon. Friend said Edinburgh was ripe for Free Education on account of the success of the Heriot Schools. No doubt, there was a feeling in Edinburgh in favour of Free Education; but the question as to the future application of the funds of Heriot's Hospital was still undecided—that was to say, whether the system of free schools should be maintained, or whether they should follow the practice of other schools, and impose moderate fees. One of the difficulties to which his hon. Friend had adverted arose from having these free schools side by side with the board schools; but the solution of that difficulty was, he thought, to be found in a different direction from that advocated by the hon. Member for Glasgow. He (Sir Edward Colebrooke) had the honour of sitting on a Commission which was appointed to inquire into the Educational Endowments of Scotland; and he was led to the conclusion that these schools had a demoralizing effect upon the country, while they tended to increase the difficulty of enforcing education in the board schools. There was at present a Bill before Parliament dealing with these endowments; and if it passed during the present Session, which he hoped it would, he trusted it would be the means of introducing some reforms into these schools, and thus lead to a better system of education throughout the great cities, and Scotland generally. With regard to the probable effect of Free Education, the statements advanced by his hon. Friend (Dr. Cameron) were inconsistent with those obtained by former Commissions. The general opinion of these Commissions was that Free Education, instead of tending to raise children, had exactly the contrary effect —a demoralizing effect; and that that was not the case when a moderate fee was charged. Holding these opinions, if this question went to a division, he should certainly vote for the rejection of the Bill; but he hoped his hon. Friend, having ventilated the subject, would save the House from a division by withdrawing it.

Mr. WEBSTER said, he had such a sincere respect for the services of the hon. Member (Dr. Cameron) on behalf of Scotch legislation, that personally his feelings would have been in favour of supporting the Bill; but with regard to the present measure, he was compelled to come to an entirely different conclusion. He dissented from the principles of the Bill, and he differed from many of the arguments and statements which the hon. Member had used. The Bill proposed to introduce an entire innovation upon the system of education which had prevailed in Scotland for centuries, and, he thought, to the great advantage of the community. Much stress had been laid by the hon. Member in moving the Bill, and previously in a very able speech he delivered in Glasgow on the compulsory nature of the Scotch Education Act, and his hon. Friend had said that if the State compelled attendance it should also relieve the parent of the child of the fees for such attendance; and the payment of fees, in the words of the hon. Member, was described as a tax, as a drag upon attendance, and as neutralizing the good of all the rest of the Scotch educational system. The fact was that through the greater part of Scotland—at all events, in that part with which he (Mr. Webster) was connected—compulsion had little to do with attendance, because in Aberdeenshire there had prevailed for centuries, and there still prevailed, the laudable, wholesome, and honourable custom of the children attending school regularly without compulsion, and of the parents paying willingly, and being proud to pay to the utmost of their ability, the fees for the attendance of their children. Taking, as an example, Aberdeen, the city he had the honour of representing, he found that the amount drawn from fees was £6,608, and in the adjoining parish of Old Machar it was upwards of £1,000, and throughout the parishes of the county, in all upwards of 92, the amount drawn from fees was proportionately large. The Bill, therefore, in proposing to sacrifice those fees, would waste, and with no countervailing advantage, a very large sum of money, which was at present derived from the parents of the children and devoted to educational purposes, and the consequence would be to throw a corresponding amount upon the local rates, a matter to which the hon. Member did not sufficiently advert. He spoke of the abolition of fees in Edinburgh as involving only an increase in the rates of 1*d.* per £1; but he did not refer to the fact that over the greater part of Scotland the abolition of fees would add very largely to the rates. In the case of Aberdeen the abolition of the fees would cause a loss of nearly £7,000, and would require a corresponding increase in the rates. The school rate there was already 6*d.* in the pound, and it would require an additional rate of 6*d.* in order to make up for the loss sustained by the abolition of the fees. In the county parishes of Aberdeenshire a similar sacrifice and a similar rise of rate would be occasioned, and many of them at present paid very heavily for the school rate, the rate being in some of those parishes as much as 8*d.* and 9*d.* in the pound. The hon. Member also laid stress upon the alleged expense of collecting the fees, and the loss of time entailed on the teachers; but his reference to the expense of enforcing the attendance of children at school was based exclusively on the experience of Glasgow. He (Mr. Webster) had been at the pains to inquire how that would affect, for instance, the city of Aberdeen, and he was assured that the supposed difficulty and expense of collecting the fees, and all the alleged loss of time on the part of the schoolmaster, were exceedingly over-estimated—that, in point of fact, there was no appreciable loss of time on the part of the teachers in collecting the school fees. Again, it might be quite true that the expense in Glasgow of enforcing the compulsory attendance of children at school amounted to £4,000, and that the cost in the adjoining burgh, Govan, which was part of Glasgow, was £500; but if they took the trouble to refer to the Return which the hon. Member applied to Parliament for, they would find that the cost in Glasgow was larger than the whole expense of the other burghs of Scotland. While £4,500 seemed to have been applied somehow or other in Glasgow, the expense of enforcing attendance in all the rest of the large burghs of Scotland included in the Return amounted to only £2,280—not one-half of the cost of Glasgow alone. In the case of Aberdeen, with fees amounting to about £7,000, the whole expense of enforcing the attendance of children was only £201. The fact was, the expense at present of enforcing compulsory attendance was next to nothing, and there was the Return to support this statement. The House would therefore see that that element of the case might be disregarded, while it had to be remembered that it was not the payment of fees which was the drag upon the attendance at school; it was really the neglect and indifference of parents which made them careless of the attendance of their children at school, and still more their desire to benefit by their earnings; and it would still require the compulsory machinery to be continued, even if the present Bill were to pass. All the elements of carelessness, neglect, and indifference, and that greed for the earnings would be as operative under the proposed new plan as under the existing plan; and it was the deliberate opinion of Dr. Calderwood, one of the witnesses who was examined before one of the Commissions, and who had been Chairman of the Edinburgh School Board, and who was entirely opposed to this proposed system, that, instead of lessening, it would increase the expense of the compulsory machinery which was required to enforce the attendance of children at school. It was his (Mr. Webster's) own opinion, and the opinion of those best acquainted with education in Scotland, that parents are quite willing to pay fees for the education of their children, and it was hardly to be doubted that the effects and value of the education were increased in no small degree by that practice. It is, besides, a stimulus and benefit to the teacher to give him the interest arising from his drawing a share of the fees. He left to others to speak of the effect of the Bill on denominational schools, but he had the greatest sympathy with the objections entertained by parents who might dislike sending their children to the board schools while they continue to be sectarian. He was aware that his hon. Friend did not make his scheme compulsory upon any part of Scotland; but if the Bill were passed, it would be a recognition on the part of the Legislature of the advantage of its principle; and it would be unworkable in practice to have, say, one parish in a large town adopting it, while another, only divided by a street, followed the other system. In conclusion, he maintained that public opinion in Scotland was distinctly, so far as indicated, hostile to the Bill. Only five Petitions had been presented in its favour, while 42 had been presented against it. He trusted the House would not consent to the second reading of the Bill, and if additional funds should be required for the purpose of education, he ventured to say the Educational Endowment Bill now before the House would provide a better means of improving education than would be afforded by this Bill.

Mr. J. A. CAMPBELL said, he felt bound to oppose the Bill. The people of Scotland had been for a long time accustomed to pay school fees, which had been very moderate in amount, although they came to a large aggregate, and the payment of fees had been believed to conduce to a sense of independence on the part of parents, and also to the parents taking a greater interest in their children's education. His hon. Friend (Dr. Cameron) had argued that if 15*s.* were already paid for the education of a child, the parent would not be further pauperized or demoralized by a further payment of 5*s.* He (Mr. J. A. Campbell) thought it might be put that the 15*s.* represented the interest that the public had in the education of the child, and the 5*s.* represented the parent's interest. Certain it was that the proposal of the hon. Gentleman, if carried out to its legitimate issues, would do something to impair that healthy feeling of independence which had generally prevailed, would diminish the interest of parents in their children's progress at school, would put a heavy additional burden on the local rates, and would disturb and imperil existing educational arrangements—and all for the sake of an experiment hitherto untried in this country, on a large scale, and, so far as tried, not an absolute success. The object of the Bill, as stated in its clauses, was simply to allow school boards to give Free Education to such scholars as were brought to board schools under the compulsory clauses of the Education Act; but the arguments of the hon. Gentleman in favour of the Bill went beyond that, and went the length of providing Free Education for all children. Let them look first at the immediate object of the Bill. The Bill was, of course, permissive only; but it was obvious that if adopted by one school board, the inconvenience of a different system prevailing in a neighbouring parish would be so great that they must look upon it asintended to be used by all. The Bill had regard to those children brought to school under the compulsory clauses, and they must all feel great sympathy for the very poor parents of many of those children. They required assistance, no doubt, in some form; but the Education Act, he pointed out, provided such assistance to a certain extent, inasmuch as the Parochial Board was authorized to pay the fees of such children as they considered to be in circumstances to require that assistance, and to do so without making their parents paupers in the eye of the law. He found that last year, on account of children's attendance at public or board schools, there were payments by Parochial Boards to the extent of £12,600, and on account of poor children attending other schools—inspected schools, but not board schools — £2,150, altogether nearly £15,000 expended by the Parochial Boards in fees of poor children. Then the school boards had been, he thought, tender and judicious in administering the compulsory clauses. They recognized that it was an objectionable thing to bring parents of poor children even so much in contact with the Parochial Board as to apply for these fees, except when absolutely necessary; and, therefore, they sought other means of getting the fees before directing parents to apply to the Parochial Board. He could speak for the school board of Glasgow in that respect. Then as to cost, it had been noticed that the cost of working the compulsory clauses under the school board of Glasgow was as much as £4,000. The hon. Member for Aberdeen (Mr. Webster) expressed some surprise that it should be so much in excess of the sums reported by other school boards. The explanation was a very simple one. The terms of the inquiry on the part of the hon. Member for Glasgow (Dr. Cameron) for information on that point were not very clear, so that the school boards understood them in different ways. The Glasgow School Board understood that it was the whole cost of the school attendance department that was wanted, the full cost of the machinery connected with enforcing the attendance of children—and so they included in their Return the salaries of 32 school board officers, a principal officer, and three clerks; a proportion of the office expenses of the board, uniforms for officers, an allowance to a medical officer who attended to cases of sickness among the children brought under the notice of the school board officers—all this in addition to the expense of prosecuting defaulters. Now, the expense of prosecuting defaulters was only £200, or ½ per cent of the whole amount spent in connection with the enforcement of school attendance, as reported by the Glasgow School Board; and if that board appeared to a disadvantage as compared with others, the reason was, not that it had been extravagant where others were careful, but that other boards had not reported their expenses in the same full way as that board had done. For instance, who could believe that the great town of Greenock expended in connection with the compulsory clauses of the Act only £3 16*s.* 6*d.*—which, he presumed, was merely the cost of prosecutions—and that the town of Stirling only spent £1 3*s.*? He said that as vindicating the Glasgow School Board on account of the way it was represented in the Return. Now, what was involved in this proposal of the Bill, that children brought to schools by compulsion were to get their education gratis? What would be the effect? Why, in the first place, it would add greatly to the number of children brought in by the compulsory rules. At present the parent had a motive to avoid the interference of the school board officer. If the Bill were passed he would have a motive to court it. He would have an interest in being careless about the attendance of his children, in order that the school board officer might lay hold of them and bring them in under the compulsory clauses, so that he might get their education for nothing. It would add greatly to the labours and, ultimately, to the cost of the compulsory officers. But more was intended than this. What was argued was that Free Education should be given to all children in public schools. Well, he thought they should ask what that would cost. That inquiry was important, in order to see what additional rate they were to have substituted for fees. He found, from the Return moved for last year by the hon. Member for Glasgow, that the fees received from scholars at the public or board schools, after deducting the fees paid by Parochial Boards, amounted to £194,383. It appeared in this way. The fees received at board schools, as reported in the Return, were £207,000, and of this amount there was paid by Parochial Boards £12,600, leaving, as paid by scholars, £194,000. So much for board schools. But what about the other inspected schools? The Return did not refer to them. But the discontinuance of fees in board schools would affect other schools as well. Now, in the Report of the Committee of Council for 1879-80 he found that the fees paid at other inspected schools amounted to £55,343, so that the total amount of fees paid by scholars in inspected schools, board schools, and others, was £249,726, or nearly £250,000. That was the revenue that would be lost by the adoption of the system of Free Education; and how was it to be replaced? The hon. Member for Glasgow said that a small addition to the rate in Edinburgh, and an insignificant addition all over the country, would do. The same Return, No. 35, gave them the amount of 1*d.* in the pound on the valuation rental of Scotland, and he found that it was £81,000; so that in order to get £250,000 they would require an additional rate all over Scotland on an average of 3*d.* in the pound. The school board of Glasgow had the subject under their consideration lately, and came to the conclusion that to adopt Free Education there would involve, at the very lowest, an additional rate of 4½*d.*, or, in fact, double the present rate. He had said that to discontinue fees in public schools would lead to a change in other than public schools. The question was, whether these schools would have to be abandoned, or, if continued without fees, would they receive a share of the rate in lieu of fees? That other schools would have to be considered was clear from the statistics of the school board of Glasgow. That board took statistics last month, in the week of the Census, so that the information was of the most recent character. It was found that in the first week of April there were on the roll of public schools—that was, board schools—in Glasgow 35,000 children, and on the roll of other inspected schools—not adventure schools, but other schools inspected by the Department—22,446—showing that there was a large number of children to be considered when speaking of the attendance at the inspected schools of the country which were not board schools. And the fees of these would have to be considered. But if a share of the rate in lieu of fees was not to be given to other than board schools, then, in addition to the rate which would have to be imposed to replace the fees, they would have to consider the great additional expense of new buildings for the accommodation of the children now attending inspected schools which, under the operation of the proposed system, would have to be discontinued. But were they sure that they could do without those schools which were other than public schools? What about the Roman Catholic schools at which there was in Glasgow an attendance of about 12,000 children—would Roman Catholics have both to support their own schools and pay the additional rate? And what about England?—because, if the system were adopted North of the Tweed, there might be a similar movement South of it. Would England be prepared to discontinue all schools except board schools? The difference at present between being able to support schools alongside of public schools and not was very much a matter of fees. With the fee, a school not a public school could hold its own; but if they took away the fee from the public school, the other would have to give up its fee also, and then there would be great difficulty in supporting it. He would only further refer to what had been said as to the regular attendance at schools where no fees were charged. Reference had been made to the Heriot Schools in Edinburgh. No doubt, in the Heriot Free Schools the attendance was very good; but that was not an illustration to the purpose at all. These were free schools planted in the midst of schools where there were fees, so that the children attending the Heriot Schools, if dismissed on account of irregularity, would be forced into schools where fees were charged. The parents had thus an interest in keeping them in close attendance at school, because there was so much to lose if the children attending those schools were forced into others. If an illustration were wanted of the effect of Free Education, he (Mr. J. A. Campbell) would rather recommend the hon. Member to turn to the 1st Report of the Endowed Institutions Commission, where he would find some curious facts about Wallace Hall Academy, in Dumfriesshire, where there was Free Education. The statistics of that school for four and a-half years from 1875 onwards showed that the percentage of scholars attending, out of the total number of scholars on the roll, was 57 per cent, 64, 62, 62, 68. Another objection to the measure was that the interests of education would be imperilled by it, because, the fees varying with the kind of education given, there was something in the fee that encouraged the teaching of the higher subjects. Take away the fee, and they then took from the school board a motive to do something more than merely earn the grant from the Department, and the consequence might be that there would be a letting down of the standard of education. On that subject he had the honour to present to the House a Petition from the Educational Institute of Scotland; and the opinion of that body, an important association of schoolmasters, was that the Bill would tend, in many instances, to the lowering of the standard of education, and they looked upon it as a measure calculated to excite hostility to educational progress in Scotland. He therefore had pleasure in supporting the Amendment.

Mr. DALY, in opposing the Bill, said, that, in his opinion, the hon. Member for Glasgow (Dr. Cameron) had failed to give the House any substantial reason why it should adopt legislation of that kind. The hon. Member had shown that the only cause to which the imperfect attendance at public schools was due was the payment of the small sum of 12*s.* 5½*d.* a-year for the education of each child. Taking into account the opportunities of education in Scotland, and the fact that certain allowances were made in the fees of a number of children belonging to the same family, he thought the hon. Member paid a very poor compliment to, and did not do much justice to, the educational instincts of the Scotch people, when he put that forward as a reason for the disinclination of parents to send their children to school. It certainly brought to the surface a sentiment not uncommon in Scotland—namely, that parents should reap the advantages of the education of their children, while they wished other people to pay for it. His (Mr. Daly's) main objection to the Bill was the mode of the imposition of the tax. He thought his co-religionists in Scotland were paying quite enough under the existing arrangement, and now they were to be called upon to make a further contribution. He considered it very unfair that they should be called upon to contribute towards the payment of 12*s.* 5*d.* per head for the education of children whose parents should pay it themselves, and under a system of education from which they were debarred by conscientious objections from deriving any benefit. The hon. Member for Glasgow described the principle of the Bill as optional; but it was compulsory on Roman Catholics as far as regarded the contribution of taxes, because they would have no power of making their opinions upon the subject felt in the school boards. Supposing they were to give the power to boards elected by popular suffrage in Ireland to levy a rate for Free Education, what an outcry would there be from the owners of property and others belonging to the Disestablished Church, if these boards proposed to assess a rate on property to educate the Catholic children of Ireland. That principle was just the same as regarded the Catholics of Scotland. Taking into account the disabilities under which his co-religionists in that country laboured, he rejoiced to hear of the great increase in attendance at their schools in recent years, and he thought it would be most unjust to saddle them with a tax which the Scotch workman and artizan should have no objection to pay for the education of their children.

MR. ARTHUR ELLIOT, who also opposed the second reading, said, that all parties benefited by such rates as that for the maintenance of public roads, and the police rates in the public protection which they afforded; but what was peculiar about the rate now proposed was that it was used, not for the benefit of all parties, but for the benefit of those who had voluntarily chosen to incur this extra expense. The object was not to pay those expenses which people could not afford, but which they could perfectly well provide, and which they were at present able and willing to pay. That put the matter on an entirely different footing from anything they had been accustomed to as regards rating. He would admit that that was not a conclusive reason against the Bill; but it showed beyond all doubt that the benefits to be derived from this additional rate were of a very doubtful character indeed. He did not think it had been shown that the general opinion of Scotland was in favour of such a Bill; and even in Glasgow it had been shown that it would be some years before such an extensive educational change could be made. There was accommodation now in board schools for some 50,000 persons who did not go there; but if these 50,000 did go there, there would be an enormous increase in the school fees; so that a far greater proportion of the expense would then be borne by the school fees, and less would be paid by the public rates. Therefore, they had to hope that, as private adventure schools were one after another broken down or driven out of the way by board schools, they might look for a considerable diminution of the rate. But if there were no other reason for opposing the Bill, he would oppose it simply on the ground of its permissive and partial character. Really this was a matter which should be dealt with as concerning Scotland as a whole. It was quite out of the question that in one parish education should be provided entirely by public aid, and in another that fees should be charged. He did not think it right that a question of such very great national importance should be dealt with by school boards in the different parishes. Therefore, although he did not say there would not be many advantages in adopting such a system, yet, considering its optional character and very partial application, and considering also that, in his judgment, the country was not ripe for it, he would vote against the second reading.

THE LORD ADVOCATE (Mr. J. M'LAREN): Sir, I confess to having a strong general sympathy with the object of the Bill introduced by my hon. Friend the Member for Glasgow (Dr. Cameron), because I think there can be no better expenditure of public money, whether raised by local or Imperial taxation, than in giving to the children of the population of our country an education fitting them for their station in life and the obligations they have to discharge; and we have already, to a large extent, adopted that principle. At the same time, I feel glad that my hon. Friend has not intimated his intention to press the second reading of the Bill to a division, because it is quite plain that public opinion upon this subject has not been expressed in such a manner as to enable the House to decide definitely whether the opinion of Scotland is for or against this measure, as the ultimate form of our educational system. It is, I think, a question of the future, as to which it is very likely that the opinion of the country next year, or two or three years hence, may be different from the opinions gathered from the Parliamentary representation of the present time. The question is one of a very large and complex character, involving considerations, educational, financial, and social, all of which have to be taken into account before we can arrive at a proper solution of the matter. My hon. Friend the Member for Glasgow has looked mainly at the educational side of the question, and, viewed from that standpoint, undoubtedly there is a great deal to be said in its favour. It is true, as said by one of the subsequent speakers, that you cannot consider this question apart from the mode of supplying the funds required by our Universities and secondary schools; that you cannot raise the question of Free Education in elementary schools without considering how far you are thereby affecting the relations of these to education in its higher grades. But I think the House may consider, in connection with that subject, that we do already, to a very large extent, support the higher education of the country out of the public funds. In the Universities of Scotland any person who is desirous of studying a particular subject may, for a class sessional fee of £3 3*s*., obtain all the advantages of that University for the subject which he desires to study. For an expenditure representing not much more than 1*s*. a-week he may, on any given subject he wishes, obtain the advantages of the University, and the services of its most eminent Professors. That sum represents but a very small proportion of the total cost of our University Education. If you take into account all the capital which has been provided from time to time in University buildings; if you capitalize the annual grants made to those institutions for a very long period of time; if you look at the amount of money which has been contributed to them by private benefaction, and which may in one sense be regarded as public money, since it is appropriated to a public purpose, and when you consider also the various privileges, such as the copyright and other privileges, which have been accorded to them, you will find that a proportion, certainly not less than that which is contributed by the public to the elementary schools, also comes out of public funds towards the maintenance of our Universities. Then you have to consider the schools in which secondary education is given to the children of the Scotch population; although we have no uniform system, yet, to a very large extent, they also are maintained out of public funds. In the city which I represent a large proportion of the children of the middle classes are educated at the Merchant Company's Schools, which are schools founded, no doubt, by private benefactors, but which, under an Act of Parliament, have been converted from charitable institutions into secondary schools, mainly supported from public funds, although fees of moderate amount are charged tot he scholars. Our High Schools in the chief burghs and cities are supported, to some extent, from the common good of the Municipalities, and under the Education Amendment Act power is given to school boards out of the local rates to erect and establish schools for Higher Education, without any limit as to the subjects to be taught, or the character of the instruction to be imparted. Now, therefore, it cannot be said that, even under our present system, the Higher Education imposes a burden upon the middle and upper classes of society disproportionate to that which is borne by the working classes in connection with our system of Elementary Education. But when we look to the financial considerations that enter into this question, I think, too, that my hon. Friend has stated facts which are very well deserving of consideration. The statistics which he quoted with regard to some Highland parishes certainly seem to prove that, as far as they are concerned, the imposition of school fees is practically of very little use for the purpose of maintaining the schools, and that they might just as well be abolished in many of those parishes for any public benefit which that system affords. I do not say, however, that you should abolish them in the Highlands and the smaller rural parishes while maintaining them in our large towns. This, I confess, is the chief objection to my hon. Friend's measure, I mean its permissive character. I think it is impossible to deal with this question of Free Education in the manner in which the hon. Member proposes, by leaving it to the ratepayers in each place to say whether they will adopt the system of Free Education or continue the present system. The result would be that wherever the class whose children are instructed in these schools formed a preponderating majority in favour of Free Education it would be established; while in many rural districts, where Free Education is quite as much needed, but where that class have not the same determining influence in the constitution or management of the school boards, you would find that the present system would be continued. This, I venture to think, would not be a satisfactory way of solving the question. I think it must be left to the more matured opinion of the country to say whether they would abolish school fees all over the country, taking financial and all other considerations into account. Now, there is one modification of the present system which I venture to think might be considered by Parliament, even in the present Session, or after a short interval, and which would tend to remove one of the chief objections urged by my hon. Friend to the present system. I think it might become the House to consider whether the mode of exacting the fees of children whose parents are unable to pay them might not be altered. The House is aware that under the English Elementary Education Acts power is given to the school board to grant the remission of fees to children whose parents are unable to pay for their education. I am not aware that any inconvenience has resulted from the existence of that power, or that schools are more facile in granting indulgence to poor parents in England than in my country, where a different system prevails. But under the Scotch Education Act there is no power of remission; but, instead of remitting the fees, the school board is empowered to call upon the Parochial Board, which administers the Poor Laws, to pay the fees for children whose parents are disabled by poverty from paying. Now, I know that in large towns this is felt as a great hardship by parents of the working classes—those, I mean, who obtain the benefit of the clause. The people complain that their children are looked down upon by the children of paying parents, that they are said to be on "the rates," and that they feel, in consequence, a sort of social degradation. So much is this the case, that I believe many parents who have seen better days, but have fallen into poverty, have been induced to keep their children from school from unwillingness to receive Free Education, in the form of a payment out of the poor rates. What object there is in making this payment in this way I am at a loss to conceive. Under the Education Act the school rate and the poor rate are identical. The school board makes a requisition on the Parochial Board to make a certain addition to the poor rate. The ratepayers are the same. The two rates are collected together, and one and the same receipt is given for both; and what is done under the power of paying fees is nothing more than taking money out of one hand and putting it into the other. The advantage of this mode of keeping accounts I cannot conceive, and the only object gained is that which is not, in my opinion, a legitimate one, of endeavouring to prevent parents from taking advantage of the power granted them by the Act by branding them as paupers and exposing their children to obloquy. I think the objection to pauperizing the poor and working classes might with more force be applied to that system than to the system under which education is given without payment to all classes of the community; and I trust—and I know that on this subject I have the sympathy of my right hon. Friend beside me (Mr. Mundella)—we may be able to remedy that blot, for so I venture to call it, and to enable the school boards to give Free Education without calling in the aid of the Parochial Board to legalize it. That would be Free Education to those who cannot obtain education in any other way, and I trust the hon. Member for Glasgow will turn his attention to that part of the case, and that he may be able to support us in carrying through a reform which, though one of less magnitude, would, I believe, be very much appreciated by the working classes. I hope he will be content with having made a valuable contribution to the information of the House on educational matters, and wait until public opinion has been matured on this question, which must be ultimately decided in accordance with the general views of ratepayers and the feelings and customs of the country.

MR. COCHRAN-PATRICK said, that if he was not disposed to regard as valid some of the arguments used by his hon. Friend (Dr. Cameron), he hoped he would not be accused of want of appreciation of the clearness with which he had brought the subject under consideration. He quite admitted that it was a subject eminently fitted for calm and careful consideration He also thought it was a subject that involved changes of very great importance and involved a large pecuniary burden on the ratepayers of Scotland; and, therefore, he thought he expressed the feeling of a considerable majority of Scotch Members when he said that it would require very forcible and practical arguments before a change of such importance could be brought about. He regretted that he could not vote for the second reading of the Bill, although he was quite willing to admit that, under certain circumstances and certain conditions, a mode of education supported solely by the rate, not by payments made by the parents or the recipients of the education, might be successful; but he differed from his hon. Friend in this—that he did not think that in Scotland the circumstances and conditions were such as would warrant the change proposed. There were one or two arguments of his hon. Friend which had not yet been answered. The hon. Member based his first argument in favour of his proposed change on the fact that education to a certain extent, that was, so far as Elementary Education was concerned, was made compulsory by law. Now, he (Mr. Cochran-Patrick) entirely admitted that fact, and that it was a valid argument so far as it applied to those unable to pay; but the moment they passed the disability to pay he failed to see the application of the argument. In certain parts of his argument his hon. Friend put himself in conflict with the most advanced educationists on that point. He (Mr. Cochran-Patrick) would not quote the opinions of the great educational authorities in Germany and France, but would mention one whose opinion was entitled to great weight in that House. In an article contributed to *The Fortnightly Review*, in 1869, Mr. John Stuart Mill used these words—

> "The State does not owe gratuitous education to those who can pay for it; the State only owes gratuitous elementary education to those who cannot pay for it."

Therefore, his hon. Friend went beyond the limit laid down by that great authority. Then his hon. Friend found another argument in favour of his proposal, in the fact that the State already paid for a considerable proportion of the cost of education. He (Mr. Cochran-Patrick) would admit that that had a certain bearing; but it did not go the length that his hon. Friend put it. He agreed with the hon. Member for Glasgow University (Mr. J. A. Campbell) that education was made compulsory because it was a benefit to the State; and when it was advantageous to the State it was fair and reasonable that the State should pay a considerable proportion of its expense. But education had also a very important bearing on individuals. Take two individuals of the same ability; the man with education had superior advantage to the other, and it was unfair and unjust that the State should pay the whole cost of it, but perfectly fair that the individual in question should pay his share of it. His hon. Friend (Dr. Cameron) had urged a strong reason in the fact that the matter of fees was one that involved a very large expense in collection. It did involve a certain amount of expense; but his hon. Friend did not propose to make education free in the sense that nothing was to be paid for it. The argument was only valid if his hon. Friend could show that rates were more easily collected than school fees. The hon. Member took a large number of instances from Glasgow; but he (Mr. Cochran-Patrick) found it stated in the daily Press of Glasgow, on the 24th of February, that in that city there were 130,000 ratepayers, and out of that number there were 55,000 against whom warrants were issued for arrears of taxes during the year. He thought that made it a question whether the collecting of these rates would be less expensive than that of fees. As to the effect of the payment of fees for school attendance, he admitted that in some small percentage of cases, more especially in large towns, there might be some persons who withdrew their children from school for the sake of the payment of the fees; but that was obviated not by doing away with fees, but by making fees payable in advance, because then they would have the same reason operating in favour of the fees as that which was urged against them, for it was within his experience, as chairman of a school board, that when parents paid fees in advance they kept their children at school for the purpose of getting the advantage of the full amount of money paid. That was entirely borne out by the experience of those who were intimately connected with education in Scotland, as well as by the general experience of other countries in Europe. In the Report laid before the French Government on the question of Free Education, he found that the Professor of one of the Communal schools in Paris said if the pupil paid a very small sum there would be more regularity in attendance than if he paid none, and this was a fact attested by experience. Other witnesses before the Commission in France bore corresponding testimony. His hon. Friend, he would admit, had reason for his complaints about the unsatisfactory attendance in Glasgow; but he (Mr. Cochran-Patrick) was not sure that he had selected the right cause for that irregularity. He found in the report of the school board of Glasgow in reference to this matter the statement that there was a great deal of poverty and distress among many families, seriously injuring the education of the children. It was not only fees, which in many cases formed a small part of the difficulty, but want of sufficient food and suitable clothing. He thought the fees, therefore, had not the exclusive bearing that the hon. Member was inclined to put upon them. A great deal was said of the example of America and other places where Free Education existed; but he was not altogether prepared to accept the statement that education in America was so superior to that of this country. Of course, the circumstances of America were different from our own. There were large endowments of land in America that were not here. Judging the education of America on three points, its quality, the number receiving it, and the means by which it was given, authoritative reports on each of those points went to show that in respect of each the educational status of America was not better than that of this country. He would only allude to one other point in the Bill—its permissive character. He thought that was one chief objection to it, for this reason. Under the existing law in Scotland there was no power in a school board to order a child to go to any particular school. There was absolute freedom to the parent to send his child to whatever school he liked; and, on the other hand, whenever the number at a given school in regular attendance exceeded the number for which the school was built originally, the Education Department would come down upon the local school board and insist on an addition to the school building. Now, supposing a single school board, in a particular district, were to take advantage of this Act and give Free Education, they would at once have children from the surrounding neighbourhood coming to take advantage of the boon, and an immediate call from the Department to provide accommodation for the parish, although the school was overcrowded by children who did not belong to the parish; and that was a serious objection to the Bill. He did not believe that, at the present moment, the people of Scotland wished the adoption of such a measure. If, therefore, it went to a division he would vote against it.

MR. ANDERSON said, he had listened with much attention to all the arguments stated against the Bill. The most cogent of these was the one that the people of Scotland were not yet entirely in unison on the subject; that public opinion in Scotland had not gone the length of supporting the measure. He thought it was a strong argument, but all the more he thanked the hon. Member for bringing up this subject, because he felt satisfied that every debate like this would have a tendency to stir up public opinion, and bring about the change which he looked upon as necessary, as inevitable, if they were ever to make their education what it ought to be. The argument about demoralizing the people by a free system of education could not be sustained, because this was the principle of education in America, in Germany, in Switzerland, and France; and could they demoralize the people here by the same gift of Free Education? That fact might be taken as disposing of that argument. The reason why Free Education was complementary to what they had already done was because they had done so much. They had established an expensive plant in the country for education; and, having done so, it was their duty as intelligent beings to make the most they could of that plant by educating their people to the utmost they could with it. It was well known that the plant already existing in the country was equal to accommodating 50,000 more pupils in our schools, and why should we not have them in the schools? They were kept back, to a great extent, for want of means to pay for their education. The right hon. and learned Lord Advocate had said—Give the school boards power to free from fees those who were not able to pay; and he had pointed out what was a well known fact, that their distinction in Scotland of requiring the parent to go to the Parochial Board and get the fees for the child's education was a very bad system indeed. It did tend to demoralize and pauperize the people; but he (Mr. Anderson) did not know that the English system was altogether good. It allowed school boards to remit the fees; but it did not provide for the case of Roman Catholics. But the Scotch system of Parochial Board relief gave allowances to Catholic children, even though they were not attending board schools. Therefore, if there was any power given to Scotch school boards to remit the fees of the children, it should go a little further, and give some grant to those who declined to go to board schools. That, he thought, was the necessary consequence of their having given so much power to voluntary schools as the established system did. It was objected that the supporters of the Bill did not go in for an entirely compulsory system of Free Education; but if they did not leave it permissive, how were they to get the experience which was to prove to the people the advantage of this system? Hon. Members declined to take it from America. They declined to take it from Germany and other countries. They said that in these countries the conditions were different. If they did not adopt it first in a permissive way here, they would not get experience from which they would learn its advantages in this country. Even if the argument against its being permissive was good as regards himself and others who approved of going further, it was not a good argument for Parliament, which had already in its treatment of English education made that entirely permissive. Parliament, therefore, acknowledged that the permissive system was the right thing as regards England. They had no compulsory school boards in England. The English Act did not make boards compulsory in every parish in England, as did the Scotch Act in Scotland. [Mr. MUNDELLA: Compulsion is absolute now throughout England.] Yes, where there was a school board; but there was no compulsory school board in every parish. If the right hon. Gentleman would introduce a Bill to make boards compulsory in England, he, at least, should be most happy to support him in carrying it out. One hon. Member spoke of Elementary Education being a public benefit; that it was the duty of the State to maintain it; but that, as regarded all education above that, it was an individual benefit. He (Mr. Anderson) took exception entirely to that remark. He maintained that higher education than Elementary Education was not a mere individual advantage, but was an immense advantage to the State. It was an advantage to every country to have the whole people brought up to the highest level of education that they could possibly reach. For that reason, he objected to the argument that they could not go beyond the merest rudiments of education as an advantage to the State. It was because they were behind in that Higher Education that he desired to see Free Education given. It was because he saw other countries going before us that he wanted them to adopt the same principle from which they had made their start. He considered that the system of school fees tended to dwarf the system of education under every department. It made it the interest of the schoolmaster to get as many scholars as he could, irrespective of his ability to teach them. The Department compelled him to get larger buildings, but did not compel a larger number of teachers. [Mr. MUNDELLA: Yes, we do.] He doubted whether they did that to anything like a sufficient extent. There had been an attempt made in Glasgow to adopt Technical Education in an endowed school, which had been changed into a technical school. What had been their experience? They could not get pupils from board schools in Glasgow sufficiently well taught to receive even the elements of a Technical Education. They were, therefore, at that moment—notwithstanding their having got an Act of Parliament some years ago to make it entirely a technical school—obliged to keep it still at least one-half elementary, simply for want of a sufficient number of pupils who had received a sufficiently good teaching at the board schools to enable them to receive the rudiments that that school was prepared to give them. He did not think, when they were so far behind in

Scotland, that they were likely to be much farther ahead in England. Scotland used to be a very well educated country; but the education they received long ago was only a good education comparatively with other countries at that time. That education was not the same education now. Supposing they had universally in the country the same Parochial Education they used to get, it would not be a good education compared with the education in other countries of this day. He did not want to see Scotland stand still; he wanted to see her advancing. In the stage of education they must, at least, keep on a level with what other countries were doing. They were not doing it, and he did not believe they would do it until they adopted that system of Free Education. They had still to hear what the right hon. Gentleman at the head of the Education Department had to say on the subject; and, as he used to be a good reformer, he (Mr. Anderson) hoped he would still show himself in favour of reform. However that might be, he believed, as he had said, that every debate of the nature of the present would materially improve the views of the country upon the subject. He would conclude by cordially supporting the second reading of the Bill.

MR. MACDONALD said, he agreed with the hon. Member who had just sat down (Mr. Anderson), and regarded the speech of the right hon. and learned Lord Advocate as one of a most hopeful character. The hon. Member who introduced the Bill (Dr. Cameron) had urged that the present system had the effect of making the people that required to get education, and who had to apply to the Parochial Boards for payment of the fees, feel that they were being pauperized. As one who took a deep interest in these matters, he (Mr. Macdonald) could corroborate that, for, as a member of a school board, his experience was that parents who were unable to pay the children's fees themselves did not care to go and sue or petition the Parochial Board to do so, because their children were stamped with the mark of pauper children on account of their asking relief. That was a thing, in his opinion, which should be got rid of as soon as possible, for he knew of nothing more degrading than the manner in which the privilege of Free Education was at present extended to poor people. There was another point in regard to the school board which the right hon. and learned Lord Advocate very properly noticed, and that was the cumbersome mode that existed at the present moment with regard to the way in which the boards investigated the cases submitted to them. The persons summoned by the school board had to go before a meeting of the board, and had sometimes, it might be, to wait a whole day to make the statement that they were not able to educate their children. They were ordered to go to the Relieving Board for the purpose of getting an order there to educate the children. The school boards had no power, as they ought to have, to order the payment of fees without having recourse to Parochial Boards. The way in which the Parochial Boards dealt with these matters was an outrage on the feelings of the people, and complaints were frequent on the part of Roman Catholics that they had to apply over and over again, simply because the children who were to receive Free Education were Roman Catholics. He thought, therefore, they ought to have the power required to deal with these cases. As the subject had been so well ventilated, he trusted that the hon. Member would not press for a division. He believed in Free Education; but he was also in favour of compulsory education all over the country. In the parish where he was a member of the school board there was a great lack of attendance before compulsion was introduced; but since then the increase in attendance of Roman Catholic children had been enormous. He was glad the hon. Member had introduced the subject, and he hoped they would yet see Free Education all over Scotland.

MR. RAMSAY thought the House must be satisfied that the question raised by the hon. Member for Glasgow (Dr. Cameron) was well worthy of consideration. Regarding the state of education in Scotland, he conceived the House was indebted to the hon. Member for having introduced this measure. In his (Mr. Ramsay's) opinion, the hon. Member attached more importance to the state of matters in various parts of the Continent than he was entitled to do. He spoke of the state of education in Switzerland and the Tyrol as being satisfactory, and that without compulsion. But that satisfactory attendance was not owing to Free Education, but to the sentiment of the people, which demanded the education of the young. If the hon. Gentleman referred to the state of matters in Germany, where there was a very stringent compulsory law, it would be found that even there regularity of attendance was only secured where the sentiment of the people was in accordance with the requirements of the law. The hon. Gentleman also referred to America; but there, according to the Report of the Rev. Mr. Fraser to the "Schools Inquiry Commission," the compulsory law was wholly inoperative, and irregular attendance was one of the greatest drawbacks to the progress of education. The hon. and gallant Gentleman (Colonel Barne), who moved the rejection of the Bill, said that if the Bill were passed the whole of the artizan and labouring classes would be educated at the expense of others. If he (Mr. Ramsay) could suppose that that measure would secure the education of the whole mass of the population, he should be very glad to give it, or any measure which would bring that about, his cordial support. But he did not think it was necessary to take such a step as was proposed, so as thereby to interfere with the existing system of board schools, and it was on that account that he would deprecate the passing of any such measure at the present time. He therefore hoped his hon. Friend (Dr. Cameron) would be satisfied with the discussion which had taken place, and withdraw his Motion. In the county of Inverness, to which reference had been made, there was a large Catholic population, and it was said the teachers there favoured Free Education in the hope that it would induce Catholics to send their children to the board schools. Reference had also been made to the parish of Kintail. Now, some years ago a complaint was made to the Board of Education that the school board of that parish had ceased to levy fees, for the purpose of emptying the denominational school which existed there. The Board of Education advised the school board that it was not competent for them to charge no fees or merely illusory fees. A proposal was made by the school board that a fee of ¼*d.* a-month should be charged, but that was held by the Board of Education to be contrary to the law; and, notwithstanding that they had received that opinion, it seemed, from the figures brought forward by the hon. Member for Glasgow, that they still persisted in collecting a very small amount of fees indeed. Where fees were not collected from such a cause as that, he thought the House would feel that the circumstances would neither justify the proposed change of the law nor the practice. Public opinion on this subject might arrive at the point when it would be desirable to have Free Education throughout the United Kingdom; but the people of Scotland were not prepared for such a measure at present, and, therefore, he hoped the hon. Member would withdraw his Bill.

MR. WARTON said, that, although many Scotch Members had spoken upon the subject, the only hon. Member who had supported the hon. Member for Glasgow (Dr. Cameron) was his hon. Colleague (Mr. Anderson), who was famed for his courage, and who was always ready to rush into the breach. He (Mr. Warton) considered the speech of the hon. Member for the Universities of Glasgow and Aberdeen (Mr. J. A. Campbell) had effectually disposed of the arguments advanced by the hon. Member for Glasgow. The Bill, in its most important aspects, seemed to him a piece of Presbyterian bigotry. It was desired by it that the parents of children of Roman Catholics and Episcopalians in Scotland should be penalized, and made to pay rates practically twice over. He could not join in the praise which had been bestowed upon the hon. Gentleman, the Mover of the Bill, whose speech he had found exhausting as well as exhaustive. It had certainly exhausted the patience of all who heard it, and it did not contain one single gleam of light to light up the dulness of that Wednesday afternoon. He had also been struck by the curious fact that all the later speakers in the debate, after having their own say, had deprecated further discussion. He himself would so far follow their advice as not to discuss at length the principle of the Bill. He would only say that that principle appeared to him to be radically wrong, and that he felt bound to oppose the second reading.

MR. LYULPH STANLEY said, he wished to show why, in the interests of Elementary Education, it was desirable that a considerable step forward should be taken in the direction of free schools. They were all agreed in wishing to get the children to school, and in promoting education as much as possible; and he thought that they must feel that the attractive method was better than the coercive and unattractive—that they would do more by setting the door wide open and encouraging the children to come in, than by setting the door ajar and then inflicting fines and penalties if they did not come in. There was at present not only the existence of the fee, but the collection of the fee was a very serious trouble and inconvenience; and his experience of the matter was that the existence of fees in the poorer neighbourhoods, and not only among the respectable poor, but among the dissolute poor, whom we had to consider quite as much, led to great irregularity of attendance. There was nothing that a reluctant parent would take advantage of more readily for keeping a child from school than the excuse that it was sent home for the school fee. Besides, the Education Department had been encouraging school managers to refuse to allow children to enter the schools unless they came with the fee in their hands. All these matters made it very desirable to facilitate the admission of free scholars to our schools. But, unfortunately, the policy of the Education Department for some time past had been adverse, not merely to free, but to cheaper schools, and it all tended to the interests of denominational schools. He contended that the schools did not exist for the benefit of certain sects, but for the benefit of the children, and that was the only matter which the Department or Parliament ought to consider in legislation on this question. It was well known to all who were practically acquainted with the working of schools that there was a great deal of rejecting and shouldering out of the school of unsatisfactory children who did not earn grants, and a great deal of picking and choosing of the best scholars for presentation at examinations. ["No, no!"] Hon. Members knew very little about schools who said "No, no!" for that was a matter of constant occurrence. They heard a great deal about pauperizing children by giving them Free Education; but he asked from what source was the education of the upper classes derived? Was it not notorious that the great mass of the educational endowments of the country were left to furnish higher education for poor and neglected children? And was it not notorious that those endowments had been diverted for the education of the children of parents who could well afford to pay the full price for it? He was not ashamed to say that he was one of those who had enjoyed the advantage of the educational endowments of Eton and Oxford; but he did not feel that he had been pauperized by it. Then he wished to point out to those who said that working men would not contribute for education, that when Parliament declared that the working man should not have the benefit of his child's services until he was 12 or 13 or 14 years old, it deprived him of an income of from 2*s.* to 5*s.* a-week, and the working classes had generously accepted that sacrifice for the benefit of the rising generation. There was nothing more surprising than the readiness with which compulsion had been accepted by the working classes; and he thought that when they already paid from three-fourths to four-fifths of the cost of education, it was drawing a very fine line to say that to pay the remaining fifth was to pauperize the people. He did not agree with all the details of the Bill; but he agreed with its principle, as he desired to a great extent either to open the doors of the schools without fees, or by lowering them whenever it was thought desirable. But what had been the policy of the Education Department? There was a clause in the Act of 1870 which contemplated the establishment of free schools in exceptional instances; but not a single free school had been established throughout England under that clause. He should be told, no doubt, that no application had been made for the establishment of a free school; and the reason was, that when proposals had been made of establishing penny fee schools, or, as in the case of the Norwich farthing fee schools, they had met with the determined refusal and resistance of the Education Department. As that clause had been put in the Act by the House of Commons, it must have been meant to work, and he thought it ought to be put in force. There might be 15 or 20 such schools in the poorer parts of London; and he asked, if the school boards were not prepared to ask for it, and thus to give a sensible interpretation to the Act of Parliament, why had not the Education Department, which had shown itself so keen in raising fees, called upon the School Board to open free schools in the neglected and poverty-stricken parts of London? We stood almost alone among progressive nations in respect to this question of free schools. He did not see that the cost for establishing free elementary schools need necessarily fall upon the rates. The country out of the Consolidated Fund might give large grants for them. In Scotland the proposal would cost £250,000, and in England £1,400,000, or, together, less than 1*d.* on the Income Tax. When the country was willing to pay that for wars, he thought it would not be a bad expenditure of public money if we were to throw open the doors of our elementary schools by the establishment of a free school system.

Mr. MUNDELLA: Sir, before referring to the able speech of my hon. Friend the Member for Glasgow (Dr. Cameron), I would like to say a word upon some remarks which fell from the last speaker, and which had no reference whatever to the Bill now before the House. My hon. Friend (Mr. Lyulph Stanley) made an attack upon the Department which I have the honour to represent. He stated that in England school boards were hampered by the action of the Department as to fees; that it has too much consideration for the voluntary principle; and that it has not yet sanctioned a single free school. Now, since I have been in the Department, I have not had a single application for free schools, nor have I heard of one, and there has never been fees proposed by the London School Board that I have not sanctioned. There has only been one application about fees that still stands over, and has not been sanctioned, and I have not sanctioned it because my hon. Friend requested me not to do so.

Mr. LYULPH STANLEY: I think it is undesirable to refer to a private conversation—which is capable of explanation—when I have no right of reply.

Mr. MUNDELLA: At least my hon. Friend will bear out this—that the London School Board has never made a request to the Department to reduce fees that the Department has not granted. With respcct to denominational schools, my hon. Friend seems to forget that three-fourths of the children are educated in these schools, and only 25 per cent in board schools. Whatever he or anyone else may desire that the Educational Department may do, the Department can only do what the law lays down. The Department did not make the Education Acts. We simply administer them; and I have endeavoured so to administer these Acts as to encourage education to the very utmost of my power. With respect to the general discussion which has taken place this afternoon, I think it has been admirable and instructive. The Motion introduced by the hon. Member (Dr. Cameron) was introduced in a speech of very great ability, and everything that can possibly be said for Free Education was said by him; but I am bound to say that I do not think he has altogether made out his case so strongly as to show the necessity, both for the carrying out of compulsion and for the cause of education, that schools should be absolutely free. I approach this question without any prejudice whatever for or against free schools, and I thoroughly agree with my hon. Friend (Mr. Lyulph Stanley) that they would not have a pauperizing effect. I have seen too much of the various school systems of the world to believe that free schools pauperize anybody who enjoys them. There is nobody who has ever visited the schools of America who can suppose that the free citizens of America are pauperized or demoralized by their free schools. It would be laughable to say so. You can say the same of Switzerland and various other countries; but I want to point out to my hon. Friend (Dr. Cameron) that his Bill does not go on the principle of the American schools at all. The American school system does not introduce a one-class system, but his Bill does introduce a one-class system. Let him point out what he proposes to enact. He proposes to enact that school boards in Scotland may provide by means of rates, instead of by rates and fees, for the education in board schools of children resident in their districts so far as education is compulsory. Now, let me point out what the law requires in Scotland—

> "It shall be the duty of every person to provide elementary education in reading, writing, and arithmetic for his children between five and thirteen years of age."

So that really my hon. Friend proposes that the fees shall not be paid for children to be taught reading, writing, and arithmetic within the limit of 13 years of age. But is that the limit of Free Education in America? No; the whole of the education of America applies to the whole community, and every class participates. [The right hon. Gentleman illustrated the American system by a quotation from the Boston Public Schools' Report for 1874, and proceeded.] When I was in Boston some years ago, I saw sitting together in one school the son of a Governor of Massachusetts, the son of an Irish emigrant, and the child of a free Negro. All classes alike avail themselves of the free schools of America, and all schools are alike free. The system does not apply merely to the elementary schools, as my hon. Friend proposes. It applies also to the middle and higher class schools, and that accounts for the hon. Member being wrong in his statistics. In many schools of Boston the average age of many scholars is over 15, and yet their education is paid for by the State. The grammar schools of Boston have more than 20,000 children. They are all free. The high schools have a very large number also. My hon. Friend (Mr. Lyulph Stanley) said the Education Department ought to allow of the establishment of free schools; but I am bound to say there is a good deal directly against it, and we cannot go contrary to the Act of Parliament. The hon. Member for Glasgow (Dr. Cameron) complained about the high fees, especially in Glasgow; but the Education Department exercised no control, especially over fees in Scotch schools. The fees are fixed by the school boards; and who are the school boards? They are elected by the ratepayers, and it is for the ratepayers themselves to demand a reduction of fees. The hon. Member has said that the payment of fees enforced in Scotland under the operation of compulsion had increased very largely the cost of the working of the compulsory clauses, and he quoted America, to show that America obtained a larger percentage of children in attendance, without compulsion, than England had succeeded in doing with compulsion. Now, is that so? My experience of America is entirely the reverse. The constant complaint of America is the absenteeism and the irregularity of attendance. Boston is where you find the best schools in America, and there the schools have been provided by the State, and are free schools. They have been free from the time of the English Colony going there. Now, what does it cost to work compulsion in the City of Boston compared with Glasgow? Will my hon. Friend believe me that it costs as much to work compulsory powers in Boston as it does in the City of Glasgow, which is the largest city in Scotland? The Report from which I have already quoted shows that, previous to the passing of the first Act in 1850, truantism and absenteeism have been the most serious evils the schools had to contend with, and that they had gradually recognized the system of compulsion. In 1863 an Act was passed to remedy the evils of truancy, and in 1874 the number of their truancy officers had increased to 14. Now, I ask my hon. Friend whether 14 truancy officers in Boston, which is half the size of Glasgow, would not make the expense of working the compulsory powers in Boston quite as much proportionally as in Glasgow? If it costs £4,000 a-year in Glasgow, 14 officers in Boston, at £150 each, would cost £2,000; so that really it is a mistake to suppose that by the abolition of fees you diminish the expense under a compulsory system, because the whole of America now is agitated on this system of compulsion. But let me point out the other side of the question. As I wish to hold the balance perfectly equal on this matter, because I have no prejudice one way or another, I ask where is it that compulsion is achieved with the greatest results? Where is it that compulsion has produced the most regular attendance at school? What part of the world would you fix upon? I will tell my hon. Friend. North Germany, Saxony, and Wurtemberg, where fees are paid regularly, and have been paid from time immemorial, are the countries where there is the best and most regular attendance at school to be found in the world. What is the answer to that? I say, there is no answer to that fact. It shows that the attendance does not depend upon the fees, but on the way in which the compulsion is worked. The senior Member for Glasgow (Mr. Anderson) said the Technical Education given under the school board was not sufficiently good, and that, owing to the present system, you cannot get a class sufficiently large for Technical Education. If the hon. Member had said there were no good technical institutions in Glasgow, I should not have been surprised, because Technical Education is of the highest in those countries where, in the elementary schools, the fees are high. I should be able to give the hon. Member the most convincing proof of that statement, if he desired it, in Papers relating to Technical Education in Saxony. My hon. Friend who introduced this Bill complained very much of the absenteeism of Scotland. Well, since I have been at the Education Department, nothing has struck me more or gratified me more than the zeal of Scotchmen for education. I have received from that country encouragements from day to day which have been in striking contrast to those I have often encountered from some districts of England and Wales. A Scotch country gentleman never comes to me, and complains that Scotch education should be "cribbed, cabined, and confined," or that the expense of it is too great. Nothing can be more liberal than the management of Scotch schools, and the progress they have made is something marvellous. My hon. Friend says there are 758,000 children in Scotland, between 5 and 14 years of age, and that only 590,000 of these are at school. But in that statement my hon. Friend is quite mistaken. I take the last Report of the Education Department, and I think I will be able to show him that he has seriously miscalculated his figures. In 1871 the number of scholars on the school registers of Scotland in public schools was 252,802. In 1880, when the last Returns were made up, there were on the register of public schools alone 534,423, there having been an increase of nearly 50,000 in the last year. My hon. Friend himself admitted that 108,000 were in other schools, and there are 55,000 in schools which are recognized and inspected by the Department and receiving an annual grant. From those figures, I think he will find that 650,000 of the 758,000 of the children of Scotland are thus accounted for; and if there is a balance not accounted for, it is not difficult to show where they may be found, because the compulsory age in Scotland ranges from 5 to 13, and the hon. Member reckoned all the children of school age between 5 and 14. I believe I should be right in saying that the great majority of the children between 5 and 6 years of age do not attend school. Owing to the climate of the country, it is difficult to enforce the attendance of those so young. Besides that, a large number are passed out for labour between 13 and 14; and I ask the House whether there is any real discrepancy between the Scotch population and the number of children who attend school? I ought to say that the average attendance last year in these schools was 404,603. The senior Member for Glasgow (Mr. Anderson) says we get the children to school, and we do not teach them anything; that our object is to get the numbers, and that we do not teach them anything. But in that opinion he is quite wrong. It is only by results that the Education Department pay, and unless certain percentages are passed they do not get their grant. My hon. Friend (Dr. Cameron) says we do not insist upon a sufficient number of teachers; but he is also quite mistaken there; because unless the proportion is kept up to a certain number of scholars, the grant is disallowed, and every school is only too anxious to keep up the staff of teachers. My hon. Friend told us about the work of Free Education in the Heriot schools in Edinburgh. Well, that was answered at once by my hon. Friend the Member for Glasgow University (Mr. A. J. Campbell). The Heriot schools are schools not for the very poorest classes. They are rather for the better working class, and yet there are 5,000 scholars in the Heriot schools receiving a free education. Upon what condition? Upon the condition that they make a regular attendance. Any child irregular in attendance is immediately expelled. But if you had under this Bill Free Education throughout Scotland, how could you expel children from board schools for irregularity of attendance? The fact is, you give the Heriot scholars education as a bribe for regular attendance, and put a penalty upon children who do not attend regularly. It is not a case to be quoted for the advantage of free schools. Now, I will just ask the House to consider for a few moments why my hon. Friend ought not to press his Motion. I believe that so far from being a measure in favour of education, it would be a very serious obstacle to the progress of education in Scotland. I do not say that the time may not come when Scotland may have a free-school system; but I think we shall all agree that it cannot be adopted without the general assent of the Scotch Representatives in this House and the Scotch people. There have been 9 or 10 hon. Members from Scotland who have spoken on this question; but only one, besides the hon. Member who introduced it, has spoken in its favour. What is the feeling of the country? I have here a list of Petitions presented. There have been 40 Petitions presented, many of them from most important localities and representative bodies against the measure. One comes from the Convention of Royal and Parliamentary Burghs, representing the Town Councils practically of 100 different parts of Scotland. Well, only two Members when it came to a division voted in favour of the Bill, and all the rest voted against it. Well, then, a very important school board Petition against it—the school board of Dundee—and eight or nine other school boards, and many other important representative bodies petitioned. On the other hand, there are just five Petitions in its favour, and I do not think my hon. Friend will claim that Scotland cares anything about the Bill, but is rather opposed to it than otherwise. Well, what would be the financial effect of the measure? It was said it was only a permissive measure, and will only be adopted by those school boards where the population are generally favourable to it. Let me point out to the hon. Member how it will operate. There are 220 school boards, and two or three of the boards have only one school. Suppose one board passes a resolution, what are the others to do? How can you enforce the system in the schools where there is competition? It would require all the school boards to agree. You would have a conflict in the parishes. Then what would be the cost of this? My hon. Friend has stated that the rate would be very small. Taken from one end of Scotland to another, the rates would be increased by an average of 3*d.* in the £1. In some cases it would be increased as much as 20*d.* in the £1. Well, with the feeling against rates in Scotland, what would be the result? Would not this be to hinder the work of the school board? How would the higher education fare under these circumstances? Would it not tend to cut the work down to the very lower Elementary Education, instead of widening and raising it so that all classes may enjoy the benefits of a higher education? I have made out a list of the rates required to meet the existing fees of the school board, and I find in 117 parishes they would require 3*d.* in the £1, in 44 it would be 4*d.*, in 35 it would be 5*d.*, in 26 it would be 6*d.*, in 10 parishes, 7*d.*, and so on it goes until it comes to 20*d.* in the £1. But that does not wholly express the financial cost. It will be very much larger than I stated. I want to point out to my hon. Friend how it would affect Glasgow itself. He admitted there were 35,000 children attending board schools in Glasgow, and that there were 23,000 attending voluntary schools. Well, suppose you make the school board schools—the schools with an attendance of 35,000—free, what will happen to those schools where the other 23,000 children are educated, and how are you going to deal with the 12,000 Roman Catholics? Are you going to make the 12,000 Catholics in Glasgow pay their share for the free teaching of those 35,000 children in the board schools, and for the teaching, mind you, of what is practically a Presbyterian faith and the Bible and the Shorter Catechism? ["No, no!"] Why, do you suppose that is not the case in the Scotch schools? Are you going to make the Catholics pay for the teaching of the Presbyterian faith, and require them also to maintain their own children entirely at their own cost? Considering how difficult it is to meet this religious question, considering how necessary it is that you should have freedom of choice for the parents, because without freedom of choice for the parents you cannot enforce compulsion, the proposal is surrounded with objections. Look how you increase your educational difficulties. It is quite true that, if we had to be begin *de novo*, we should have a different educational system than we have at the present time. We have arrived at a *modus vivendi;* the Education Act is a compromise, and a compromise that is working well, and under it we may have the best education with the least possible friction. If you introduce this free system, it seems to me that you will have the very greatest difficulty. You will bring about difficulties that you do not anticipate, and I think it would be far better that Scotland should go on improving, strengthening, and widening the quality of her education, rather than involve herself in new difficulties by this mode of expenditure. I do not think it would be so good for the working men all round as the hon. Member thinks. I know he has pleaded it would relieve the working men a good deal. I am not so sure of that. For one of two things would happen—either you must continue to make it a narrow class question, or allow the higher education to be taught as well as the elementary. Well, if you are to do that you will increase the cost to the working men, because you will increase the rates so largely that he will better pay the present school fees. At present a working man has to pay fees only so long as his children are at school; and you say he had better pay 5*s.* a-year constantly than pay 12*s.* a-year for the time his children are at school. But if you increase the cost of education so much that the rates are very largely enhanced, it will be a burden to the working-man, because the rates have to be paid by him before his own children can go to school, and he must pay them after they leave school, or if he has no children at all, and the rates would remain a burden to him as long as he is a householder. If the hon. Member desires to go to a division I will not, for a moment, stand in his way; but I appeal to him to withdraw the Bill. He sees that the Scotch Members are against it; the Scotch people are not on his side. If he wishes an Act of this kind to pass the House, I think he must amend his Bill, and come with public opinion more strongly behind him than he has got it. My hon. Friend the senior Member for Glasgow hoped I had not lost my zeal for education. I hope so too, and that I may be useful to Scotland in my office. I am encouraged by what I do for Scotland and by what Scotland does for education. I hope we shall pass this year that Scotch Endowments Bill which will decidedly build up and improve the character of Scotch education. I often say that if I could be born again I would be born a Scotchman, for the benefits Scotland confers upon her children in the way of education. I hope, therefore, that the reasons I have urged, and many more that might be urged, will suffice to induce the hon. Member to withdraw his Motion.

MR. DONALDSON-HUDSON said, that although Members on this side of the House had been twitted by the hon. Member for Oldham (Mr. Lyulph Stanley) with ignorance upon educational questions, they knew enough to be able to see that the Bill was conceived in a spirit of hostility to denominational schools. During the time in which he had sat upon the London School Board with the hon. Member for Oldham the effect of the policy which the hon. Member, who was supporting the Bill, had persistently advocated was one of injury to voluntary schools. All that the opponents of the Bill asked for the denominational schools was fair play. They did not oppose the Bill solely in the interests of denominational schools; but they protested against the denominational schools being handicapped in the unfair way in which the hon. Member for Glasgow (Dr. Cameron) sought to do it.

DR. CAMERON said, that although, at that hour, he could not attempt to reply to the arguments put forward by the Vice President of the Council (Mr. Mundella) against his proposal, he must not be considered as admitting them. He should not, however, ask the House to divide on the Bill, for he did not really care about a division. As to the objection that the Bill did not provide for higher education being free, if that was all, he was willing to amend it in that respect.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

## *MOTIONS.*

### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (BALLYMENA, &C.) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the towns of Ballymena, Belmullet, and Enniskerry, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 173.]

### IMPRISONMENT FOR DEBT ABOLITION BILL.

On Motion of Mr. BASS, Bill to abolish the power of Imprisonment for Debt by Inferior Courts, *ordered* to be brought in by Mr. BASS, Mr. ANDERSON, Sir HENRY WOLFF, and Mr. BROADHURST.

Bill *presented*, and read the first time. [Bill 170.]

### INDUSTRIAL AND REFORMATORY SCHOOLS (IRELAND) (LOANS) BILL.

On Motion of Colonel COLTHURST, Bill to afford facilities for the erection, enlargement, improvement, and purchase of buildings for Industrial and Reformatory Schools in Ireland, *ordered* to be brought in by Colonel COLTHURST, Mr. MARTIN, Mr. O'SHAUGHNESSY, and Mr. SHAW.

Bill *presented*, and read the first time. [Bill 172.]

### ERNE LOUGH AND RIVER BILL.

On Motion of Mr. JOHN HOLMS, Bill to explain and amend the Erne Lough and River Acts, 1876 and 1879, *ordered* to be brought in by Mr. JOHN HOLMS and Lord FREDERICK CAVENDISH.

Bill *presented*, and read the first time. [Bill 171.]

House adjourned at five minutes before Six o'clock.

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## HOUSE OF LORDS,

*Thursday*, 19*th May*, 1881.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government Provisional Orders (Berwick-upon-Tweed, &c.)* (85); Veterinary Surgeons* (87).

*Committee*—Tramways (Ireland) Acts Amendment (74); Inclosure Provisional Orders (Scotton and Ferry Common)* (64); Regulation Provisional Order (Langbar Moor)* (63); Regulation Provisional Order (Beamsley Moor)* (62); Metropolitan Commons Supplemental* (65); Inclosure Provisional Order (Wibsey Slack and Low Moor Commons)* (71).

*Committee—Report*—Stolen Goods* (60-86).

*Third Reading*—Local Government Provisional Orders (Bath, &c.)* (77); Local Government (Highways) Provisional Order (York)* (78), and *passed*.

### SOUTH AFRICA—THE TRANSVAAL—THE COMMISSION.—QUESTION.

THE EARL OF CARNARVON: I wish to ask the noble Earl opposite, the Secretary of State for the Colonies, a Question of which I have given him private Notice. I have seen in a London newspaper a telegram, dated Newcastle, Tuesday, in which it is stated that—

> "The Commission has arrived at a very important decision with reference to the non-delivery of the Potchefstroom guns. They have determined that until the guns are surrendered they will not enter the Transvaal."

I should like to know, Whether that statement is correct; and, if so, whether it will involve any suspension in the business which the Commission has to transact? It is also reported that—

> "There is news from Pretoria that commandeering on an extensive scale is going on there for war against the Native chief Montsuine, who remained loyal to us. The natives near Pretoria are coming in there in numbers to escape being commandeered by the Boers."

If this be true, the fact is incompatible with the supposition that the Boer Leaders are enforcing their decisions upon their followers; and if such a state of things were allowed to continue, it may result in fatal consequences. I will not trouble the House at present with any further comments on these two statements, except to observe that they are statements of extreme gravity.

THE EARL OF KIMBERLEY: My Lords, it was decided a month ago that for various reasons, and especially the absence of telegraphic communication with the Transvaal, the Commission should sit at Newcastle, in Natal, and we have not heard of any proposal to change the place of meeting. The most recent intelligence of any disputes between the Boers and Native tribes was received on the 12th instant, when Sir Evelyn Wood reported that Major Buller and Mr. Joubert were going to the Keete Award territory to part the Boers and the tribe of Montsia, a Bechuana Chief. It is not stated that the Boers were commandeering Natives.

### AFFAIRS OF TUNIS.

#### POSTPONEMENT OF MOTION.

EARL DE LA WARR gave Notice that he would postpone his Motion relative to the affairs of Tunis till an early day, when he hoped that the Papers promised by Her Majesty's Government would be upon the Table of the House.

EARL GRANVILLE: I beg to present to the House Papers with respect to the affairs of Tunis. I hope that a large portion of them will be in the hands of your Lordships to-morrow; but I can scarcely hope that they will all be delivered by that time.

## TRAMWAYS (IRELAND) ACTS AMENDMENT BILL.—(No. 74.)

(*The Lord Monteagle.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Regulations as to speed of locomotives on tramways).

The Duke of RICHMOND and GORDON wished to draw attention to the fact that, while the width of road on which tramways might be constructed was reduced from 25 feet to 18 feet, the cars were authorized to run at a speed of 10 miles per hour. It seemed to him that there was no necessity for such a speed, and that it could not be unattended with danger to the public.

Lord MONTEAGLE observed, that in regard to tramways in the neighbourhood of London, similar to those sought to be authorized by the Bill, a speed of 10 miles an hour had been agreed to by Parliament. The tramways were to be constructed in country districts; but even in the case of cities, such as Bristol, a speed of eight miles through busy streets had been sanctioned.

The Earl of CARNARVON thought that even in country districts 10 miles an hour was too high a rate of speed.

The Earl of LONGFORD said, he could not concur in that opinion, and hoped their Lordships would not adopt the over-cautious view of the noble Duke.

The Earl of COURTOWN, in supporting the clause, said, that the consent of the Grand Juries of the counties in which the tramways were to be constructed was required; and they were well acquainted with the roads and with the nature of the traffic which might be expected to be carried over them.

Clause *agreed to.*

Remaining Clauses *agreed to,* with Amendments: The Report thereof to be received on *Tuesday* next.

## PARLIAMENTARY PRINTING.

QUESTION.

Lord MONTEAGLE, in rising to call attention to the "First Report of the Controller of Her Majesty's Stationery Office," lately presented to Parliament by command of Her Majesty, said, that the Report showed a very great increase in the cost of stationery and printing during the last few years, but that a saving, estimated at £55,000, had been effected by making certain changes in the contracts for printing. It was a remarkable fact, that whereas in 1823 the cost of the Stationery Department had been only £68,000, it amounted last year to £460,000. It appeared that each House had a separate printer, and this involved in some cases duplicate printing, the cost of which could be saved if both Houses had the same printer. Their Lordships' printing was done at a much more moderate rate than that of the other House; and the figures seemed to show that a considerable saving might be effected if the printing contracts of the Houses were subject to competition, as were the printing contracts for the Government Departments. He, therefore, begged to ask, in the terms of his Notice, Whether Her Majesty's Government proposed to institute inquiries as to the possibility of effecting improvements in the printing and publishing of Acts of Parliament, and other Official papers?

Lord THURLOW said, the Report to which the noble Lord had called attention was one of considerable interest, being the first of its kind presented to Parliament by a Department which had been steadily growing in importance ever since its creation, just 100 years ago, and which now exercised annual control over upwards of £500,000—its gross expenditure in 1879-80 being £568,377. In reply to the Question of the noble Lord, he had to state that the Report of the Controller of Her Majesty's Stationery Office had received the careful consideration of Her Majesty's Government, who proposed to institute inquiries as to the possibility of effecting improvements in the printing and publishing of Acts of Parliament and other Official papers. In the opinion of Her Majesty's Government, this Inquiry should take the shape of a joint Committee of both Houses; and the exact scope of the Reference to that Committee would remain to be hereafter determined, but would certainly include a revision of what was known as the "promulgation list," a somewhat antiquated and obsolete document, more particularly described at page 12 of the Report. It would also include all points connected with the printing, storage, and publication of Acts of Parliament, Orders in Council, and Parliamentary Papers which required consideration. The Committee would further inquire in what manner the many reforms and economies recently introduced and proposed in Her Majesty's Stationery Office might best be supplemented and carried out. The Report was a singularly concise and satisfactory document, and would well repay the perusal of all interested in the subject. He begged to give Notice that on that day week he would move on behalf of Her Majesty's Government for the appointment of the Committee in question.

## INTERNATIONAL LAW—RIGHT OF ASYLUM FOR POLITICAL OFFENDERS.

### QUESTION. OBSERVATIONS.

LORD LAMINGTON asked Her Majesty's Government, Whether the report is true that certain Foreign Powers had made representations to them respecting the right of asylum for political offenders in this country; and, if so, whether the correspondence will be laid on the Table? He attached considerable importance to the report, because early in April the German Parliament all but unanimously passed a Resolution advocating International Treaties for the prosecution and extradition of persons guilty of attacks against the Chiefs of States. It was pointed out that the attempts of the Nihilists and other political refugees were often directed not only against one, but against all Governments, and therefore the action taken should be of an international character. Instigation to these crimes was to be regarded as conspiring, and the nationality of the offender was to make no difference in the application of the law. To provoke to murder was more wicked than to murder, and to tempt more devilish than to fall. Their Lordships would agree with him that the feeling abroad was almost universal that there should not be any right of asylum in the case of political murderers, or would-be murderers. In Austria it was proposed recently in the Reichstag that a Treaty should be negotiated with other Governments to extradite foreigners guilty of the offence of conspiracy to assassinate Sovereigns. In 1876, even Belgium, which was one of the freest countries in the world, declared that an attack on or murder of any Sovereign or of any member of his family was without the pale of the right of asylum. His attention was drawn to a meeting held in this City, on the 16th of April, at the rooms of the Slavonic Club, Hampstead Street, Fitzroy Square, which was attended by persons of all nationalities, when it was proposed and carried—"That this meeting expresses its profound sympathy with the martyrs of liberty hanged at St. Petersburg;" and it was added—"The present Czar must not think that he would reign long if he did as his father had done." He was perfectly aware of the difficulty the Government had to deal with in this matter; but though Englishmen had a right to pride themselves on the fact that England afforded a safe asylum for political refugees from all nations, still, when such a Chamber as that of Belgium had taken measures to provide against the abuse of the right of asylum, we ought not to neglect co-operating with other countries in the endeavour to exclude conspirators from our midst, and those who did not hesitate to instigate to murder. He trusted, therefore, that Government would not hesitate to give a favourable reply to any representation which might be made to them on the subject by foreign Powers.

EARL GRANVILLE: My Lords, I cannot help thinking that the noble Lord has spoken under some misapprehension of the facts of the case. No representation has been made to Her Majesty's Government in regard to the right of asylum for political offenders. This question has been repeatedly raised, and the decision of this country is now so well known abroad that it is not likely that any representations will be made again. In 1852 I held the Seals of the Foreign Office only for two months; but during that short time it was my duty to issue a Circular in answer to strong representations from all the Great Powers on this subject. In that Circular principles were laid down on which the right of asylum to political offenders was granted. First, it was laid down that foreigners had a right to be admitted and to reside in this country; secondly, being here, that they had a right to the protection of our laws, but at the same time they were amenable to them; and, thirdly, that the Government had no power to send them away from the country except under the conditions of Extradition Treaties. That Circular went on, on the other hand, to denounce in very strong terms the flagrant abuse of the hospitality given to foreigners in attempting to incite insurrection in the countries they belonged to. It was formally stated that Her Majesty's Government would exercise all legal powers at their command to prevent such attempts being made. That Circular was very much criticized in many parts of the Continent; but, I believe, it was universally acknowledged in this country to be a sound exposition of the national doctrine on the subject. Ten years ago, when it happened that I was again at the Foreign Office, I had a similar representation from the Spanish Government. I made an answer, and in so doing put into a more condensed form the same statement and phrases. My despatch was presented to Parliament as the Circular had been, and I think, if I am not mistaken, there was no one person, either in this House or the other House of Parliament, to call it in question, excepting my noble Friend (Lord Lamington). I might further allude to another circumstance that no doubt all remember—namely, what occurred at the time of the Orsini attempt on the life of the late Emperor of the French. Count Walewski wrote a strong letter at that time, not discreetly worded, reflecting on the state of our law in relation to the conduct of refugees in this country. Lord Palmerston's Government, having considered the subject, came to the conclusion that there was something in our laws which required amendment, and prepared a Bill by which the crime of conspiring to murder or inciting to murder, whether the murder was to be in this or in any foreign country, should be a felony, and not a misdemeanour, as it then was. Upon that occasion the matter was very carefully considered in the Cabinet. As it is so long ago, I may mention that I remember hours being spent in discussing the Bill and the prudence of presenting it to Parliament at that time As we were about to separate, the despatch of Count Walewski was referred to, and Lord Clarendon said—"How am I to act with regard to the despatch? I think I had better not answer it at all." Lord Palmerston said—"I think that will be the best way." And in that the whole of the Cabinet acquiesced without saying a word. The Bill was introduced and read a first time without comment; but on the second reading was opposed not only by Mr. Milner Gibson, Mr. Cobden, and Mr. Bright, but by Mr. Disraeli, Mr. Gladstone, and Lord John Russell, and the result was that they obtained a majority, and the Government of Lord Palmerston was destroyed and a Conservative Government was formed. The ground the majority took in opposing the Bill was not objection to the improvement of the law, but to no answer having been sent to Count Walewski to vindicate the state of our laws. A year or two later that improvement in the law was agreed to without a single dissentient voice in a clause of another Bill. I only mention this to point out how exceedingly jealous the feeling of this country has been, and how strong I believe it will continue to be, in case of any notion of foreign interference with regard to our own domestic legislation. I have said that no representation has been made this year with regard to the right of asylum. I am glad to repeat that that is the case. What has happened is this. The Russian Government applied to Her Majesty's Government, with the approval of the Government of Germany, to join a Conference to consider what practical measures should be adopted in order to prevent criminal efforts on the part of certain associations, but guarded herself against any interference with our internal laws. I do not think, my Lords, it is surprising, after the frightful catastrophe of the murder of the late Emperor, that Russia should have desired, among other means of dealing with Nihilism, to seek the co-operation of other Powers. It is certainly no feeling of sympathy with Nihilism that has induced Her Majesty's Government to think it would not be advantageous to join such a Conference. If Nihilism means, as it seems to do, a general war against the laws and institutions of organized societies, not by appeal to opinion, but by murder and other crimes, it is the duty and the interest of this country to oppose and to punish it by all the legal means in our power. To go beyond those legal means is impossible; but we believe those means are sufficient for the purpose. It seemed to us that to join the Conference would not have led to any practical results, but would have had a contrary effect as to the objects proposed. In no country has the national indignation against such crimes been more strongly shown both in and out of Parliament than in England; but I am convinced that to accept the Conference would not have been approved by Parliament or by the nation. But this refusal only makes it more incumbent upon us to exert all legal powers to prevent acts prejudicial to foreign and friendly Governments, more especially with regard to murders, whether such murders or attempts to murder are directed against private individuals, or against Sovereigns and Chiefs of States.

### VETERINARY SURGEONS BILL [H.L.]

A Bill to amend the Law relating to Veterinary Surgeons—Was *presented* by The Lord ABERDARE; read 1ª. (No. 87.)

House adjourned at Six o'clock, till
To-morrow, half past
Ten o'clock.

## HOUSE OF COMMONS,

### *Thursday*, 19*th May*, 1881.

MINUTES.] — SELECT COMMITTEE — *Report*— Kitchen and Refreshment Rooms (House of Commons) [No. 234].

PRIVATE BILL (*by Order*)—*Considered as amended* —Kingston-upon-Hull Corporation (Loans, &c.) *.

PUBLIC BILLS—*Ordered—First Reading*—Church Patronage (No. 2) * [175].

*Second Reading*—Land Law (Ireland) [135]— [*Eighth Night*]; Solicitors' Remuneration * [100].

*Committee — Report —* Bankruptcy and Cessio (Scotland) * [81-174].

*Third Reading*—Local Government Provisional Orders (Poor Law) (No. 2) * [139], and *passed*.

### *QUESTIONS.*

### AFFAIRS OF TUNIS—THE PAPERS.

SIR CHARLES W. DILKE: Sir, I would ask leave to explain that in order to avoid delay, the Correspondence relating to the affairs of Tunis has been divided into five parts, of which the first (Tunis No. 1) contains the Correspondence previous to this year. Tunis No. 2 will contain the more recent Correspondence up to May 7. No. 3 will contain some important Despatches written within the last few days, which will be given separately. No. 4 will contain complete Correspondence up to date; and No. 5, that relating to the Enfida case.

### ISLANDS OF THE WESTERN PACIFIC— MURDERS OF BRITISH SUBJECTS.

SIR JOHN HAY asked the Under Secretary of State for the Colonies, If he can state the number of British subjects murdered since the 1st of January 1880, including the officers and crews of the "Ripple," "Esperanza," "Lolia," "Mystery," "Borealis," "Dauntless," "Annie Brooks," and H.M.S. "Sandfly," in the Pacific, and how many of the murderers have been tried at Levuka or elsewhere?

MR. GRANT DUFF: Sir, at least 40 British subjects have been murdered, to say nothing of Chinese and others not British subjects, though sailing under the British flag, and very probably more, for I fear that even the long list of ships given by the right hon. and gallant Gentleman is not exhaustive. Not one of the murderers concerned in these outrages either was or could have been tried at Levuka or anywhere else by any British authority, even if he could have been found. The High Commissioner of the Western Pacific has merely jurisdiction over British subjects. The only punishment that could be inflicted in these seas on savages who ar not British subjects is by acts of war, and with acts of war the Department which I have the honour to represent has nothing directly to do. The repression of such acts as those to which the Question refers belongs to the Admiralty.

### PEACE PRESERVATION (IRELAND) ACT, 1881—GUN LICENCES.

COLONEL COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the alleged refusal by a magistrate (Mr. R. Pratt) attending Ballincollig, county Cork, Petty Sessions, to grant certificates for licences to keep a gun to several respectable farmers of the locality, stating that he would not give certificates to any Land Leaguers or persons who attended Land League meetings; whether the said magistrate did not refuse a certificate to the parish priest; and, what steps will the Government take so as to enable the persons thus unjustly treated to obtain a re-consideration of their case by some other magistrate than Mr. Pratt?

Mr. W. E. FORSTER, in reply, said, he had received a letter from the magistrate referred to, in which he stated that he did not refuse a certificate to the parish priest, nor did he refuse certificates to respectable farmers. As to the last paragraph of the Question, the Government could not interfere with the magistrates in the exercise of their discretion as to the granting of certificates.

## TURKEY—REPORTED RISING IN MACEDONIA.

Mr. SUMMERS asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information with regard to the reported rising of the Christian population of Macedonia?

Sir CHARLES W. DILKE: Sir, I regret to say I can give no information on this subject. We have no information whatever at the Foreign Office.

## VACCINATION ACT—VACCINE LYMPH.

Dr. CAMERON asked the President of the Local Government Board, What has been done since Dr. Cory's appointment to provide for the public supply of vaccine lymph direct from the calf; whether the Vaccination Department has been, or will be, instructed to issue lymph free for purpose of revaccination to all medical men who may ask for it; and, what steps have been taken to supply adequate hospital accommodation for smallpox cases, and so put an end to the public danger which arises from the treatment of so many cases of that disease in their own homes, and the consequent maintenance of so many separate foci of disease?

Mr. W. H. SMITH asked the President of the Local Government Board, If he will state what is the result of his communications with the Metropolitan District Asylums Board with reference to the insufficiency of the existing hospital accommodation for smallpox patients within the Metropolitan district; and, if he will state whether steps will be taken forthwith to provide the necessary increase of hospital accommodation to meet the growth of the epidemic?

Mr. DODSON, in reply, said, that great and unexpected difficulty had been found in obtaining the necessary premises for the public supply of vaccine lymph direct from the calf. He was glad, however, to inform the hon. Member that premises had now been secured, and the necessary preparations would be completed without delay. Preliminary arrangements had been made under which the requisite means would be supplied as soon as the buildings were ready. He feared it would not be practicable for the Department to undertake the supply of calf lymph for re-vaccination to any medical man who might apply. In reply to the Question of the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith), he had to say that hospital accommodation had been provided for a limited number of convalescent small-pox patients on the property of the Metropolitan Asylums Board at Darenth, and that, owing to the unremitting efforts of the managers, 251 convalescents had been removed there in the short space of one week, to the great relief of the Metropolitan hospitals. Negotiations were in progress with the view of obtaining additional accommodation for patients; but the matter was one of difficulty, owing to the proceedings taken in some cases and threatened in others, for closing some hospitals, and preventing the opening of new ones.

Mr. SCLATER BOOTH asked whether the Government would undertake to propose legislation with a view of clothing the Local Government Board with power to carry out the objects of the Act of 1856?

Mr. DODSON said, he would like very much to hear from his right hon. Friend, or some other person, advice as to what were the requisite powers.

## STATE OF IRELAND—SKULL BOARD OF GUARDIANS.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following Resolution adopted by the Skull (county Cork) Board of Guardians on May 10th:—That we strongly protest against the conduct of Mr. R. H. Notter, J.P. on the 26th of April, in using threats of arrest under the Coercion Act calculated to intimidate and prevent us from discharging our duties as representatives of the people of the Skull Union, inasmuch that when we alluded to the arrest of our Chairman Mr. Richard Hodnett, now in prison under the Coercion Act, Mr. R. H. Notter quickly replied by saying "more will soon follow!" and we request the clerk of the union to forward a copy of this Resolution to the Lord Chancellor; whether the Mr. R. H. Notter, J.P. complained of is the same Mr. R. H. Notter, J.P. who recently expressed a hope from the bench that "the people would soon get powder and ball;" whether, in consequence of a question put in this House thereupon, Mr. Notter was cautioned against the use of inflammatory language; and, whether, as the Lord Chancellor's attention has a second time within a few months been called to the conduct of Mr. Notter, the Government can now hold out any hope, whether by removal from the bench or otherwise, that some restraint will be put upon the language of this magistrate?

**MR. W. E. FORSTER**, in reply, said, he did not think the matter alluded to in the Question was worthy of the attention of the Government or of the House.

### POST OFFICE—SERVICE OF WRITS—LETTER CARRIERS.

**MR. HEALY** asked the Postmaster General, Whether, as the Irish Courts now frequently allows writs to be served by postmen instead of by bailiffs as formerly, any complaints have been received from rural postmen in Ireland at having to deliver registered letters known to contain writs; and, whether, in view of the known disfavour with which persons threatened under those writs with eviction regard their service, the Government think it necessary to send a sufficient force of police to accompany the writ-serving postmen in future?

**MR. FAWCETT**, in reply, said, no complaints on the subject had been received. As to the latter part of the Question, he had to remark that there was nothing in a letter containing a writ to show that it did contain a writ.

### STATE OF IRELAND—"SLAVE DRIVING" IN GALWAY.

**MR. BURT** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, with reference to the alleged slave driving and cruelty practised on the labourers of Galway, his attention has been called to a letter in the "Newcastle Chronicle" of the 12th instant, written by Mr. Patterson, one of the miners' agents who recently visited that part of Ireland; whether he has seen that Mr. Patterson reiterates his previous statements, and says he is prepared to prove them; and, whether he will order a thorough investigation to be made into this subject to ascertain what are the facts?

**MR. W. E. FORSTER**, in reply, said, the Question of his hon. Friend related to a Question which was asked him a few days ago. He replied to that Question without inquiry, to the effect that he did not believe there could be any truth in the statement. The inquiry he had made proved that he was correct in that view. The statement in the paper referred to considerably exaggerated the miserable condition of the labourers. There was no so-called slave-driving.

### THE GENERAL REGISTER HOUSE, SCOTLAND—RE-ORGANIZATION.

**SIR R. ASSHETON CROSS** asked the Financial Secretary to the Treasury, When he will be able to announce the decision of the Government with reference to the several questions now pending as to the Register House, Scotland?

**LORD FREDERICK CAVENDISH**: Sir, the re-organization of the Register House Departments, and the future position and emoluments of the existing staff, has been now settled by a Treasury Minute, which received the consent of the Home Secretary, as required by the Lord Clerk Register Act of 1879, on the 13th instant. Directions have been issued for giving immediate effect to the scheme as from April 1 last. The Minutes will forthwith be laid before Parliament under the 11th section of the Act.

### STATE OF IRELAND—THE ENDOWED SCHOOLS COMMISSIONERS—NOTICES OF EJECTMENT.

**MR. LITTON** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the fact that about 240 ejectments for non-payment of rent have been served at the instance of the Commissioners of Endowed Schools against their tenants in the neighbourhood of Coalisland, in the county of Tyrone; and, whether, considering that the Commissioners hold the lands for public purposes, he will use his influence to induce them to give further time to the tenants, so as not to impose upon them the enormous amount of cost so many actions will entail?

Mr. W. E. FORSTER, in reply, said, he was himself an *ex officio* Commissioner of Endowed Schools; but he had never, nor, he believed, had any of his Predecessors, taken any active part in the business of the Commission. He had, however, received from the secretary a statement of the facts of that matter. Seventy-eight ejectments had been given out for service. The rental of the land was £1,765; the Government valuation, including buildings, was £1,777; the rents being much below those of the adjoining estates, the Commissioners declined to make any abatement this year, first, because the sum of £200 had been advanced to the tenants in the shape of seed, only a small portion of which had been repaid, and next, because crops were above the average. In February last the agent reported that only £700 had been paid by the tenants. With a few exceptions the tenants were able to pay, but refused to do so, though the agent had attended on several occasions. Proceedings had, therefore, been directed to be taken against those who were able to pay; and it was only against those tenants that ejectments had been been obtained. Furthermore, the agent had been authorized to offer time to those who might promise to pay; but no applications for time had yet been made. The particulars as to that estate would be found in the Report of the Endowed Schools Commission.

Lord RANDOLPH CHURCHILL asked whether the Commissioners had not remitted 15 per cent of their rents last year?

Mr. W. E. FORSTER said, he believed that they had.

## PEACE PRESERVATION (IRELAND) ACT, 1881—PROCLAMATION OF BELFAST.

Mr. EWART asked the Chief Secretary to the Lord Lieutenant of Ireland, What are the reasons which have induced Her Majesty's Government to proclaim the Borough of Belfast under the provisions of the Peace Preservation Act, seeing that there have been no agrarian outrages, and that crime is generally on the decrease in the district?

Mr. W. E. FORSTER, in reply, said, that the Peace Preservation Act had been applied to Belfast only as far as the sale and the carrying of arms and ammunition went, and not as to the possession of them. That had been done after consultation with the authorities in consequence of the fact that party feeling prevailed in the town some times in the year. One of the strongest arguments in favour of the renewal of the Peace Preservation Act was that danger would arise in places where party spirit ran high at the time when processions took place, and where unlicensed fire-arms were carried. The Government had no reason to doubt the general loyal and peaceable demeanour of the inhabitants of Belfast, but they felt that they would not be justified in neglecting to take proper precautions against armed men taking part in those processions.

## TELEGRAPH ACT, 1868—POSITION OF TELEGRAPH CLERKS.

Mr. MACLIVER asked Mr. Attorney General, If Clause 7 in "The Telegraph Act, 1868," by which the clerks transferred from the Companies to the Government are admitted to the rights and privileges of clerks in the "permanent Civil Service of the Crown," is still in force; and, if so, whether the clerks can be legally deprived of the position conferred upon them by the said Act; and, whether those clerks who joined subsequently are not entitled to the same advantages by the Superannuation Post Office and War Office Act of 1876, which was supposed to place the pre-transfer and post-transfer clerks on an equal footing?

The ATTORNEY GENERAL (Sir Henry James): Sir, I have had some difficulty in following the Question of my hon. Friend. In the first place, Clause 7 of the Telegraph Act of 1868 has no bearing upon the subject of the Question. I presume that the hon. Member intends to refer to one of the sub-sections of Clause 8. If my surmise be correct, I answer the first part of his Question by saying that I believe that enactment is still in force, and whatever may be the legal rights of clerks under that enactment they are entitled to enjoy them. As to the second part of the Question, I say I cannot admit that my hon. Friend is right in saying that the Superannuation Act of 1876 "is supposed to place the pre-transfer and post-transfer clerks on an equal footing." Certainly that is not the correct interpretation of the Act of 1876, which places certain post-transfer clerks, irregularly appointed, on the same footing as other clerks in the Civil Service regularly appointed, but not on the same footing as pre-transfer telegraphic clerks.

## TURKEY AND GREECE—THE GREEK FRONTIER.

MR. SUMMERS asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a telegram published in the "Daily News" of the 14th instant, in which it is asserted that Turkish troops are continually arriving in Thessaly; that the Turks are throwing up fortifications near Volo Domoko and the entire length of the frontier; that Dervish Pacha is reported to be offering terms to the Albanians on condition that they prepare to descend to Thessaly and oppose the Hellenic occupation; and that Austrian agents in Thessaly, Epirus, and Macedonia are strenuously engaged in representing the Vlach inhabitants as protesting against the annexation to Greece of the districts belonging to them; and, whether he is able to confirm or to contradict any of these statements?

SIR CHARLES W. DILKE: Sir, the latest report we have received of the strength of the Turkish Army in Thessaly was dated April 12. It was then estimated at 42,600 men; but there had been a cessation of reinforcements since the end of March. The fortifications along the frontier and the port defences at Vola were stated to be complete at the same date. The last accounts of Dervish Pasha's proceedings show that he had nearly succeeded in reducing the Albanians to submission; but we have no reason to think that he had proposed to them to oppose the occupation by Greece of the territories to be ceded. With regard to the Vlachs, we have received a copy of a Petition against annexation to Greece, which was to be presented to the Porte by six Vlach delegates; but no great importance was attributed to this proceeding, and we have heard nothing that would connect Austrian agents with it.

## FRANCE AND TUNIS—THE FRENCH PROTECTORATE.

MR. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether the recent proceedings of France in Tunis are in accordance with European concert; or if it is true that France has, by force of arms, possessed herself of Biserta without regard to the views of any other Power; and, whether it is the case that France has practically assumed the protectorate of Tunis without friendly consultation with Her Majesty's Government, notwithstanding that there are upwards of ten thousand Maltese residents there who, as British subjects, have hitherto enjoyed rights and privileges which may or may not be secured to them under the new arrangements?

SIR CHARLES W. DILKE: Sir, the Papers which will very shortly be published will contain all the facts known to Her Majesty's Government relating to the French Expedition to Tunis, and I must repeat the opinion which I have already expressed, that it will be the more convenient course to defer any statement on these points until the House has had the opportunity of considering the Papers. I must request the hon. Member for Portsmouth (Sir H. Drummond Wolff) to take the same answer in reference to the Question he has placed upon the Paper.

SIR H. DRUMMOND WOLFF said, he was sorry that he could not accept that view.

## ENGLAND AND WALES—INCLUSION OF MONMOUTHSHIRE.

MR. HUSSEY VIVIAN asked Mr. Attorney General, Whether the definition "Wales" in an Act of Parliament would be legally held to include Monmouthshire?

THE ATTORNEY GENERAL (Sir HENRY JAMES) had no difficulty in answering the Question in the negative. The Acts of Henry VIII. created a portion of the Welsh Marches into an English county—that of Monmouthshire. Many statutes, such as the Boundary

Acts following the Reform Act of 1832 and the Representation of the People Act, 1867, had recognized Monmouthshire and the Monmouth Boroughs as being in England. He was afraid that the hon. Member must give up all hope of claiming Monmouthshire as a Welsh county.

### ARMY ORGANIZATION — THE NEW REGULATIONS—COMPULSORY RETIREMENT.

Sir ALEXANDER GORDON asked the Secretary of State for War, If he will state, as nearly as he can, the total number of Officers of the Army who will be retired, under the proposed new regulations, for compulsory retirement, on the 1st July, or on whatever date the new rules may come into operation?

Mr. CHILDERS: Sir, it is almost impossible to say how many officers will be retired on the 1st of July until the Warrant has appeared and officers have elected between the different courses open to them. But, as a matter of fact, the number of retirements under the new system will be in the aggregate much less than those impending under the system now in force.

Major NOLAN asked the Secretary of State for War, If, under the new Warrant to be issued on the 1st July, Colonels of fifty-eight years of age will be allowed to complete their service in those situations to which they have been appointed for five years, or if they will be compulsorily retired on pensions before the completion of the five years' term from the command of Depôt Centres and other equivalent positions; if the latter is the case would he inform the House what is approximately the additional expense which will be entailed on the Exchequer by such compulsory retirements, and if any compensating saving will be effected; and, what will be approximately the gross loss incurred by the officers who would be thus compulsorily retired before the completion of their five years' term?

Mr. CHILDERS: Sir, the Question of the hon. and gallant Gentleman is word for word the same as that he asked me three days ago, with the addition of the word approximately. My answer on Monday precisely answers his present Question. I told him that the estimate showed the aggregate change; but that it was almost impossible, and it would be until the Warrant issues useless, to break it up into detail.

### ARMY—MANUFACTURE OF GUNS AND PROJECTILES.

Major NOLAN asked the Secretary of State for War, If he can state what is the value of guns, carriages, and projectiles now ordered from or being manufactured by private firms on behalf of the War Department; and, if this includes all guns, &c. being manufactured by private firms for the Government?

Mr. CHILDERS: Sir, the value of the guns, carriages, and projectiles now being manufactured by private firms on behalf of the War Department is a little over £46,000. I know nothing of any orders for other Departments of the Government; but if the hon. and gallant Member refers to the Admiralty, their requirements are met by the War Office, and the material at this moment in course of manufacture for them is included in the £46,000.

### INDIA—GOLD MINING COMPANIES.

Mr. ONSLOW asked the Secretary of State for India, Whether his attention has been called to the number of Indian Gold Mining Companies whose prospectuses have been issued during the past two years; and, whether the Noble Lord or Secretary of State in Council could not issue some warning note to the public to guard them against investing their money in these highly speculative concerns, at the same time without interfering with the legitimate operation of capital?

The Marquess of HARTINGTON: Sir, I can only say that the Report to the Government of India by Mr. B. Smith on the gold yielding capabilities of Wynaad has been made public. That contains all the information in my possession on the subject, and having made it public I think I have done all in my power to enable the public to form their own opinion as to the various schemes which have lately been presented to them.

### INDIA (ARMY)—CASE OF CAPTAIN CHATTERTON.

Mr. GRANTHAM asked the Secretary of State for India, as he has now received the promised reports from

India on the case of Captain Chatterton, If he can tell the House whether by the report of the Medical Board, dated September 5th, 1868, signed by Surgeon Major Peskett, Surgeons Lowdell and Condon, and Assistant Surgeon Walsh at Myne Tal, Captain Chatterton was not recommended to take twelve months leave of absence for the purpose of returning to England to undergo an operation, viz., the division of the left tendon achilles, on the ground that it was not safe to perform the operation in India; whether Surgeon Major Powell, acting as garrison surgeon in Fort William, Calcutta, did not afterwards in April 1869 confirm the above recommendation on the same ground; and, whether the only report on which the Despatch of June 5th, 1869, ordering the compulsory retirement of Captain Chatterton was founded, and which practically alleged that he was shamming, was not that made in November or December 1868 by Assistant Surgeon Macdermott, who was shortly afterwards removed from the medical charge of that and other cases previously under his care; and how it was that Captain Chatterton was dismissed the Army in 1869 on the report of an assistant surgeon, when Captain Chatterton was acting on the reports of very eminent surgeons made both before and after the report of the assistant surgeon?

THE MARQUESS OF HARTINGTON, in reply, said, it was a fact that the Medical Board, by a Report dated September 5, 1868, did recommend that Captain Chatterton should be sent to England to undergo an operation. Their Report required to be confirmed by superior authorities, and they decided that there was no occasion to send Captain Chatterton home, as the operation, being a very simple one, could be performed in India. The whole matter was carefully considered by a Court of Inquiry consisting of three combatant officers of superior rank. They took the evidence of several medical officers, and their Report was considered by the Commander-in-Chief in India and by the Government of India; and on this Report Captain Chatterton was placed on half-pay. Captain Chatterton had not been dismissed from the Army. He had 15 years of service, six and a-half of which were spent on medical leave. On these grounds alone there would have been ample justification for placing Captain Chatterton on half-pay.

## ARMY ORGANIZATION—TERRITORIAL TITLES OF REGIMENTS.

MR. ERRINGTON asked the Secretary of State for War, Whether he thinks it necessary to insist on calling the territorial Regiment formed from the 67th Brigade Depôt the Prince of Wales' Royal Canadian Regiment, consisting as it does of five Regiments of Irish Militia, and of the 100th and 109th Regiments, in not one of which is there now a single Canadian; and, whether he will consider the recommendation of Colonel Stanley's Committee, that the Regiment should be called the Prince of Wales' Royal Leinster Regiment, and be made Fusiliers, if the Militia Regiments are no longer to remain Rifles?

MR. CHILDERS: Sir, in reply to my hon. Friend, I may say that in settling the titles of the new territorial regiments we are most anxious to minimize changes, but at the same time to meet local objections; and it is impossible to deny that the title "Royal Canadian" of a purely Irish regiment refers rather to the past than to the present state of things. We are at this moment in communication with those interested.

## THE MAURITIUS—A HINDOO "CHURCH RATE."

MR. CAINE asked the Under Secretary of State for the Colonies, If it is true, as stated in an advertisement in the "Mercantile Record and Commercial Gazette" of March 21st, published at Port Louis, Mauritius, that the Colonial Secretary had in a letter dated February 5th last, authorised the charge of a fee of two cents of a rupee on all bags of grain, cases, casks and bales of goods sold by all Hindoo Merchants for the maintenance of their church situated at the place called Pont Nicolay, Port Louis; whether he will lay a Copy of that letter upon the Table; and, whether this step has been taken with his approval; and, if not, whether he will cancel the authorisation.

MR. GRANT DUFF: Sir, some time ago the Hindoos, who are numerous in Mauritius, petitioned the Lieutenant Governor of the Island for aid from the public funds for the maintenance of their religion, or if that were out of the question, for power to do as the Mahomedans did—that is, to levy a small percentage on their trading transactions for its maintenance. As the petitioners had, of course, the most absolute right to tax themselves for the maintenance of their religion without asking his or anybody's leave, the Lieutenant Governor directed them to be informed that he could not promise them any aid from the public funds; but that they were perfectly free to follow the example of the Mahomedans, and to devote to the purposes of their religion any voluntary tax or percentage upon their trading transactions which they might think proper to levy among themselves. Now that the circumstances are explained, I need hardly add that the Secretary of State for the Colonies sees no reason to interfere with the voluntary arrangement made by the Hindoos for the maintenance of their religion.

Mr. CAINE: Then I am to understand that it is a purely voluntary church-rate?

Mr. GRANT DUFF: Undoubtedly.

## ISLAND OF REUNION—COOLIES.

Mr. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether the French Government has as yet communicated to the Foreign Office the long promised "decret" regulating the treatment of the oppressed Indian Coolies in the Island of La Réunion?

Sir CHARLES W. DILKE: Sir, the decree referred to has not yet been communicated to Her Majesty's Government; but Her Majesty's Ambassador at Paris is in communication with the French Government respecting it.

## FOREIGN JEWS IN RUSSIA—EXPULSION OF A NATURALIZED BRITISH SUBJECT.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether, with reference to a statement that Her Majesty's Government had received no invitation from Foreign Governments to interfere in the question of the outrages committed on the Jews in Russia, it is the present policy of Her Majesty's Government not to remonstrate in cases of oppression of Jews in Foreign Countries, except on receiving an invitation from another power to do so; and, whether it is not the fact that since the year 1869 representations have been repeatedly made by Her Majesty's Government, without waiting for such invitation, on behalf of oppressed Jews in Roumania, Servia, Morocco, Tunis, Tripoli, and Persia?

Sir CHARLES W. DILKE: Sir, the principal consideration which would regulate the action of Her Majesty's Government would be that of whether interference on their part would be likely to be efficacious; and, in answer to the next Question, I fear that I may have to show that it is not probable that that would be the case in the present instance.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, What is the Russian Law which, as stated by him in the House on Monday last, forbids Foreign Jews to remain in St. Petersburg; whether he will obtain a copy of such Law through Her Majesty's Ambassador in the Russian capital, and lay it upon the Table of the House; if such Law is enforced by the Russian Government, whether he can explain why the Russian Consul General in London viséd the passport of Mr. Lewisohn, a British subject of the Jewish faith; and, whether public notice will be given in the "London Gazette" that Jews who are British subjects of Her Majesty are not allowed to visit or remain in the Russian Empire, but are liable to be expelled at a day's notice, by the Russian Police, even when provided with a duly viséd British passport?

Sir CHARLES W. DILKE: Sir, the laws referred to are couched in the following terms:—

> "Jews who come to Russia on business can remain for one year in those places where Jews are allowed to settle."

Then here follows a long list of the governments in which they may settle, one of which is St. Petersburg:—

> "Jews who are foreign subjects arriving in Russia from abroad, who have come on business or for the purpose of extending their business transactions, are allowed to carry on business and to open banks in Russia, provided they obtain a special permission to trade as members of the first guild, issued by the Ministers of Finance, of the Interior, and of Foreign Affairs, to be specially applied for in each case."

Combined complaints have been addressed by the Governments of Germany, Austria, and the United States, as well as by Her Majesty's Government in Mr.

Lewisohn's case, against the harsh treatment of their subjects under the provisions of these laws, and the United States Congress requested the Executive "to take immediate action to have the Treaties so amended as to remedy the Jewish grievance in Russia." The Government of the United States, which had always been on peculiarly friendly terms with that of Russia, protested, in 1880, against the expulsion from St. Petersburg, under circumstances of peculiar hardship, of an American citizen of Jewish faith; but neither in this case nor in that of another American expelled under circumstances exactly similar to those in Mr. Lewisohn's case, were they able to obtain redress. I may add that more than a year ago all foreign Jews were ordered at once to leave St. Petersburg and certain other large towns by order of General Loris Melikoff. With regard to the visa given by the Russian Consulate-General in London, it may have been given in ignorance of Mr. Lewisohn's faith, or under the impression that he was proceeding to Russia, and not specially to the Government of St. Petersburg. With regard to the public notice which the hon. Member suggests, perhaps the publicity given by this reply will meet the requirements of the case.

BARON HENRY DE WORMS: Is it to be understood that, in the case of Governments of importance like Russia, Her Majesty's Government do not intend to protest in cases of oppression, but that their protests are only to be directed against weak Governments?

SIR CHARLES W. DILKE: Sir, the Government has not come to any conclusion as to addressing any protest to Russia in this matter. The essential consideration in these matters is whether any protest is likely to be of use, and I have shown that in the cases of the protests of the United States, Germany, and Austria no good has come. But I may say that we have protested strongly with regard to the case of Mr. Lewisohn.

SIR H. DRUMMOND WOLFF: The Question of my hon. Friend refers to the persecution generally, and not to the second question. Will the Government protest on this question?

SIR CHARLES W. DILKE: Sir, I have said that the Government have not come to any final determination, but that the essential consideration is whether their representations will be efficacious; and, frequent representations having been made in vain, I fear a protest would not be efficacious.

MR. J. COWEN wanted to know how the Government could tell whether their representations would be efficacious or not? The present Government was a special friend of Russia.

## AFFAIRS OF TUNIS—THE CAPITULATIONS.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether any communication has been received from the French Government as to the validity of the capitulations in Tunis; and, if he can state what will be the position of British subjects in Tunis as to the administration of civil and criminal justice?

SIR CHARLES W. DILKE: Sir, I fear I cannot give any further reply to this Question.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have recognised or acquiesced in the state of things established at Tunis by the recent action of the French Government; and, whether they will defer any decision on their policy in this respect until Parliament has been enabled to consider the Papers about to be laid upon the Table on the subject?

SIR CHARLES W. DILKE: Sir, I make the same reply to this Question.

## ABYSSINIA—A RED SEA PORT.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, If any steps have been taken in consequence of the correspondence regarding the concession to Abyssinia of a free port in the Red Sea; and, if he will lay that correspondence, which took place in the year 1877, between the Earl of Derby and Her Majesty's Consul General in Egypt, upon the Table of the House?

SIR CHARLES W. DILKE: Sir, no steps have been taken to obtain for Abyssinia a port in the Red Sea, and Her Majesty's Agent in Egypt reported that there was no evidence to show that the Abyssinians, who did not claim a port, and could not manage it if possessed by them, were desirous of obtaining one.

## WESTMINSTER SCHOOL AND CHRIST CHURCH COLLEGE, OXFORD.

MR. J. G. TALBOT asked the honourable Member for Southwark, Whether he intends to put to the Government the question of which he has given Notice, and which has been long upon the Paper, such Notice reflecting on the character of a distinguished college at Oxford, and on the conduct of important public bodies?

MR. THOROLD ROGERS, in reply, said, he should certainly put the Question of which he had given Notice; and he hoped he might be allowed to explain why he had placed it upon the Paper. He saw it stated in one of the newspapers that an appeal was about to be made to the First Lord of the Treasury to allow the Dean and Chapter of Westminster to take away from the Westminster Schools the property they were legally entitled to on the death of one of the canons, and the acquisition of which by the schools was absolutely necessary to carry out their requirements. There were other statements. [*Cries of* "Order!"] Unfortunately, there was no Department of the Government entitled to give an answer to a Question upon higher education. ["Order!"] He might take some little exception to the terms of the Question of the hon. Member. ["Order!"]

MR. SPEAKER said, it would not be regular to debate the form of the Question.

MR. J. G. TALBOT wanted to know when the hon. Member would put the Question, and whether he thought it proper to make an attack upon a distinguished body without notice, that body having no opportunity of replying?

MR. THOROLD ROGERS said, that he had no intention of making an attack upon a distinguished body.

MR. J. G. TALBOT wished to know when the hon. Member would put his Question?

MR. THOROLD ROGERS said, that he should put his Question on Friday.

## EVICTIONS (IRELAND)—EVICTION AT BALLYBUNYON, IN THE COUNTY OF KERRY.

MR. DALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that at Ballybunyon, in the county of Kerry, on the estate of Mr. Gunn Mahony, an absentee landlord, a man named Broder was with his large family evicted from his house, and, though apparently dying, was thrown upon the road without any shelter whatsoever; and, whether it is true that Broder had received the last sacraments of the Catholic Church administered only to dying persons?

MR. BRODRICK asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in the case referred to, the tenant was not still alive and well; and whether he was not at the time of the eviction three years in arrear of a rent fixed in 1862 by the Court of Chancery, and not since raised; and whether it was not the fact that the state of his health was now such as to have permitted him on the 9th inst. to join a mob of about 1,000 persons in cutting turf on the property of his landlord in open defiance of the law?

MR. W. E. FORSTER, in reply, said, that he would give the House what information he could. The name of the evicted tenant was Brodrick, not Broder, as stated in the Question. He was tenant of an 80-acre farm, of which the rent was only £65. He had become a tenant of the farm under the Court of Chancery, at a rent of £75, in the year 1855. In 1862 the rent became £65. There had been a decree in June, 1880, for non-payment of rent, which was not executed until the time had almost expired; not, he believed, because the man was in a dying state, but because the landlord had been informed that the tenant was in a delicate state of health. The eviction took place on April 22. On the 9th instant, he was present as a spectator when a large crowd of persons assembled, but took no active part in the gathering.

MR. DALY said, that he was not responsible for the error in the name, as he received his information in a telegram from the parish priest.

## POST OFFICE — SAVINGS BANK ACT, 1880.

MR. BUXTON asked the Postmaster General, with reference to the working of the Savings Bank Act of 1880, What sum of money has been invested through the Trustee and Post Office Savings Banks in Government Stock; in what proportion has the sum been supplied — (a.) by withdrawals from current deposits; (b.) by moneys specially deposited for the purpose of investment; whether the amount thus withdrawn for investment has caused any diminution in the number of deposits in the Trustee and Post Office Savings Banks respectively, or in the amount of the deposits; how much of the amount invested has been taken in the form of stock certificates to bearer, and whether there have been many applications for stock certificates for smaller amounts than £50, the minimum amount now granted; and, whether any of the figures as to the above mentioned details could be given separately for Great Britian and Ireland?

MR. FAWCETT: Sir, in reply to the Questions of my hon. Friend, I have to state that the Act for allowing small investments in Government Stocks through the savings banks came into operation on the 22nd of November last, and in less than six months between that date and the 14th of May, the amount so invested through the Trustee Savings Banks was £68,400, and through the Post Office Savings Banks, £455,800. Of this latter amount £177,500 was withdrawn from existing deposits for investment, and £278,300 was specially deposited in the Post Office Savings Banks for immediate investment. In spite of this withdrawal, the amount of Post Office Savings Bank deposits has increased since the 22nd of November by no less than £1,010,360, and the number of depositors has increased in the same period by 331,795. Of the amount invested in Government Stocks through the Post Office Savings Banks, £5,850 has been taken in the form of Stock Certificates to bearer, and there have been only one or two applications for Certificates of smaller amount than £50. With regard to the last Question of my hon. Friend, it may perhaps be sufficient if I state that of the aggregate amount of £455,800 invested in Government Stocks through the Post Office Savings Banks, £394,700 was invested in Great Britain and £61,100 in Ireland. Of the amount invested in Great Britain only £17,100 had been sold, and of the amount invested in Ireland only £2,400 had been sold.

## TUNIS—THE PORT OF BISERTA.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether the Paper drawn up by Mr. Wood, Her Majesty's late Consul General, containing a reference to Biserta Bay, is within the control of the Foreign Office; and, if so, whether he will lay it before Parliament with the other Papers on the subject of Tunis?

SIR CHARLES W. DILKE: Sir, the Report referred to is one of a confidential scheme, and, as my right hon. Friend is aware, it is contrary to the custom of the Foreign Office to publish documents of this kind. I may, however, add that, although allusion is made in it to Biserta, it gives no details as to the character of the harbour, or the expenditure necessary to convert it into a harbour of value.

MR. BOURKE asked the Secretary to the Admiralty, Whether he can, without detriment to the public service, lay upon the Table any Reports which are in possession of the Admiralty from naval officers, upon the importance, strategical or political, of Biserta Bay?

MR. TREVELYAN: Sir, there is no Report in the Hydrographical Department of the Admiralty bearing on Biserta Bay. There is a short letter in the General Record Office from Admiral Spratt to Lord Clarence Paget, written in 1864; but it contains nothing that is not still more emphatically and fully said by the gallant Admiral in his letter published in *The Times* of last Monday, and there are expressions in it which justly impelled the writer to mark it confidential.

## HOUSE OF COMMONS ARRANGEMENTS —REPORT OF COMMITTEE OF 1868.

MR. H. H. FOWLER asked the First Commissioner of Works, Whether there are any Copies of the Report of the Committee of 1868 on House of Commons arrangements which are available for distribution?

MR. SHAW LEFEVRE, in reply, said, that a certain number of copies had been ordered to be printed, and that any Member wishing to have a copy might have one on application to the Speaker's secretary.

## ARMY—MOUNTED INFANTRY.

SIR BALDWYN LEIGHTON asked the Secretary of State for War, Whether it is the intention of the Government to take any steps this year towards the formation of a permanent corps of mounted infantry?

Mr. CHILDERS: No, Sir, no provision is made for such a force in the Estimates for 1881-2.

### WAR OFFICE—MILITARY EDUCATION AT SANDHURST—STUDY OF FRENCH AND GERMAN.

Sir GEORGE CAMPBELL asked the Secretary of State for War, with reference to his correspondence with the public schools regarding education in French and German, Whether it is not the case that hitherto there has been absolutely no instruction in those languages at Sandhurst, so that young men qualified up to a certain point before entrance have every encouragement to forget what they know of modern languages from the moment they enter as cadets into Her Majesty's Service; whether he will introduce the study of modern languages at Sandhurst; and, whether he will consider the possibility of doing anything to assist and encourage junior officers, after joining their regiments, to continue and improve their knowledge of these languages where circumstances permit?

Mr. CHILDERS: Sir, I have not overlooked the point suggested in the Question of my hon. Friend; but he, perhaps, is not aware that cadets only pass something over eight months at Sandhurst, and that the course is one of purely military subjects, which necessarily take up their whole time. When I was at Sandhurst lately, I especially looked into this question; but the real fact is, that unless French becomes part of the education of an English gentleman at school, a very small proportion will acquire facility in it afterwards. It is with this object that I hope the authorities of our public schools may be induced to do something more for living languages even at a moderate sacrifice of Greek, and that we have appealed to them to assist us if they wish to increase or even to maintain the present proportion of entries into the Army from these essentially national institutions.

### WAYS AND MEANS—INLAND REVENUE—BEER AND SPIRIT LICENCES ON RAILWAYS.

Mr. Alderman LAWRENCE asked Mr. Chancellor of the Exchequer, To whom it is intended that the Commissioners of Inland Revenue shall grant licences at £5 per annum to sell wine, beer, spirits, and tobacco in travelling public house Railway cars; whether such travelling public house Railway cars will be authorised to supply first class, second class, and third class Railway passengers with any liquor they may require; and, whether all Railway Companies will be permitted to attach such travelling taverns to any train they may think advisable, whether express, excursionist, or Parliamentary, and without limit as to distance travelled?

Mr. GLADSTONE: Sir, I will give the particulars of the Question to my hon. Friend if he desires to have them; but I doubt if this is a convenient moment to explain them to the House. If it is agreeable to the hon. Member, I would rather suggest that we should wait until I make the proposal, of which I will undertake to give him due notice.

Mr. Alderman LAWRENCE: This is a question which is of great interest in the country. [*Cries of* "Order!"]

Mr. SPEAKER: After the statement of the right hon. Gentleman, I not think it would be regular to press the Question.

### TRADE AND COMMERCE—HAWICK AND GALASHIELS.

Lord HENRY SCOTT asked the Chancellor of the Duchy of Lancaster, Whether he has any objection to mention the name of the gentleman connected with the manufactures of Hawick who informed him that the trade of that town and Galashiels and other manufacturing towns of the district was good and satisfactory; whether he is aware that, since 1875, eleven woollen manufacturing firms had failed in Hawick alone, and their liabilities, varying respectively from £4,500 to £400,000, had reached a total sum of over £830,000; whether it is not the fact that the export of tweeds is greatly hampered by foreign tariffs in America and other countries, while at the same time the price of home-grown wool had so declined as to be actually unremunerative to the grower; and, whether any steps will be taken by Her Majesty's Government in any treaty of commerce now negotiating or to be negotiated to secure that so important a home manufacturing interest is relieved from the unfair and unequal duties now imposed on it by foreign tariffs?

Mr. JOHN BRIGHT: Sir, I am bound to rise to the Question of the noble Lord. To the two or three paragraps of that Question I will give such an answer as it will admit of. The House will see that the first portion of the Question merely asks the name of the gentleman who stated to me some facts concerning trade on the banks of the Tweed to which I referred in a recent speech. I do not think it necessary to give the name of that gentleman; but I will mention that he has occupied a high position in the municipality of Hawick, and is one of a family who are largely interested and connected with the trade in the district. The next Question relates to the bankruptcies in Hawick since 1875. Now, I did not know of this Question till I came down to the House. But I have just received a telegram from Hawick, which, by the statement of two or three facts, furnishes a sufficient answer to the Question. The telegram comes from the secretary of the South of Scotland Chamber of Commerce, and is to the effect that some serious failures of manufacturing firms took place in 1875 owing to circumstances altogether outside the manufacturing industry of the place; that trade was healthy; that the heaviest failure took place in consequence of the wild and foolish speculation of one of the partners resident in London, and had nothing to do with the trade at Hawick, which was profitable at the time, and has been since in a very satisfactory state, especially when the condition of trade in many parts of the country is taken into consideration. Then he says that the other manufacturing firms have failed for trifling amounts; that the trade has been steadily increasing; that last year higher wages were paid than in any preceding year, in spite of the depression of trade, and that the Census shows an increase of population of 42 per cent in the decennial period. He also says that wool—there was no reference in my speech to the price of wool—is certainly low in price; that farmers took land anticipating that prices would be higher by 50 per cent; that rents are too high; and that the Border pastoral farmers are paying rent wholly or partially out of capital. He says, in continuation, that if I ask the hon. Member for the Border Burghs (Mr. Trevelyan), I shall probably get further material with which to answer satisfactorily the noble Lord opposite. The noble Lord opposite asks whether it is not the fact that the export of tweeds is greatly hampered by foreign tariffs? Well, no doubt, if all foreign tariffs were as free as our own there would be a larger trade in this country. The night before last I was speaking on this very practice to a gentleman eminent in the political life of Canada, and he told me how in that very article of tweeds there was an interference with the trade of this country by the imposition of tariffs in the Colony. He added that the time was not far distant when the policy at present pursued would be reversed. The Question asks—

> "Whether any steps will be taken by Her Majesty's Government in any treaty of commerce now negotiating or to be negotiated to secure that so important a home manufacturing interest is relieved from the unfair and unequal duties now imposed on it by foreign tariffs?"

Unfortunately, this Parliament can only deal with the tariffs of this country; but, of course, any Government in Office would do its utmost in case of any negotiations to obtain as favourable terms as possible for the trade of this country. This is what the Government has tried to do with France, and what it will do as occasion offers in the case of negotiations with any other country.

## SOUTH AFRICA—THE TRANSVAAL—THE COMMISSION.

Sir HENRY HOLLAND asked the Under Secretary of State for the Colonies, Whether it is true that the Commissioners have refused to enter the Transvaal territory until the guns taken at Potchefstroom have been restored; and whether they have taken this step under instructions from the Secretary of State?

Mr. GRANT DUFF: Sir, in consequence of the want of telegraphic communication and for other reasons, it was decided more than a month ago that the Commission should for the present sit at Newcastle, in Natal, and we have heard nothing whatever about any proposal to change the place of meeting.

## NAVY—ROYAL NAVAL ENGINEERS.

Mr. MACLIVER asked the Secretary to the Admiralty, If he has given the attention which he promised to the position of the Royal Naval Engineers, and whether he can state how far he is prepared to revise their pay and status?

Mr. TREVELYAN: Sir, the Engineering Department of the Navy is the only Naval Service of importance which has recently sprung into existence, and its organization has not yet been arranged on a final and satisfactory basis. When the Estimates are introduced next year I shall be prepared, if I still hold the Office which I now have the honour to fill, to submit to the House a scheme which I hope will meet with approval.

In answer to a further Question,

Mr. TREVELYAN said, that the Navy Estimates would not be taken until an opportunity should present itself to the Government of obtaining a clear night for their discussion. As to the Royal Naval Engineers, the Lords of the Admiralty would be very pleased to hear the opinions of hon. Members; but he could not promise that the reorganization to which he had referred would be explained at the time which might be fixed for the discussion of the Estimates. The general outline of the scheme had already been sketched, but no reason existed for taking any premature step in connection with this subject.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARREST OF MR. DILLON.

Mr. JUSTIN M'CARTHY asked the First Lord of the Treasury, Whether he will not, after the Second Reading of the Irish Land Law Bill, endeavour to afford some facilities for the discussion of the Notice which stands on the books of the House with reference to the arrest of Mr. Dillon, M.P. and the general conduct of the Irish Executive?

Mr. GLADSTONE: Sir, in answering this Question I cannot but express my great regret, inasmuch as everyone must desire that a matter of this kind should be disposed of with as little delay as possible, that the hon. Member has not availed himself of any of the opportunities for bringing forward his Motion which were open to him as an independent Member. In all likelihood, if the hon. Member had thought fit to put down this Motion for Tuesday night last, and if some of the hon. Members interested in the Question had attended on that evening, the Notice would have received the attention of the House. Instead, however, of following such a course as I have indicated, the hon. Member now asks me to give him facilities for the discussion of his Motion. But he knows perfectly well what are the facilities at my disposal, and I cannot do better than repeat what I have stated many times in this House, and what cannot be unknown to the hon. Member—namely, that with regard to the whole of the time as to which we consider we have a moral option, our intention is to give it to the Irish Land Bill. But between the second reading of the Bill and the Committee it may be proper to allow an interval of a week to elapse. That being so, there will be one evening at the command of the Government, and it is a matter of necessity that that evening should be given to the consideration of a financial measure without the authority of which the taxes of the country cannot be levied. This measure is absolutely necessary for authorizing the levying of the taxes, and with regard to it some inconvenience has already arisen. I must therefore treat this measure as a question of paramount importance. It may also be necessary to renew our demand for a Vote of Credit. That is a matter which I hope will not give rise to any discussion; but, in the present day, it is extremely difficult to anticipate what will and what will not give rise to discussion. But I certainly shall not interpose anything, in regard to which I consider we have option, so as to prevent the hon. Member from bringing forward his Motion if he is determined not to avail himself of the opportunities which he has as a private Member. On Tuesday next, for instance, he might probably bring the matter forward, there being very little indeed to be discussed on that day, except certain Irish Motions, with regard to which there would probably be a disposition on the part of Irish Members to accommodate the hon. Member. It appears to me that the hon. Member ought then to have an opportunity of bringing forward his Motion; but in the meantime he might reserve the discretionary power of making use of any portion of Monday that may be free after the Financial Bill is disposed of.

Mr. MITCHELL HENRY observed, that he had a Motion down for Tuesday relating to the industrial development of Ireland, and added that he certainly should not give way in the manner suggested by the right hon. Gentleman.

Mr. T. P. O'CONNOR suggested that the right hon. Gentleman might propose a Morning Sitting on Tuesday for the discussion of his hon. Friend's Motion.

Mr. MAC IVER hoped the right hon. Gentleman would not be too sanguine about the rapid progress of the Customs and Inland Revenue Bill.

## STATE OF IRELAND—ILLEGAL PLACARD—ARREST AT MULLINGAR.

Mr. T. D. SULLIVAN asked Mr. Attorney General for Ireland, If it is a fact that a man named Clarke was, on Thursday May 12th, arrested without warrant at Mullingar on a charge of carrying an alleged illegal placard; if four magistrates at once, without having given the man any chance or opportunity of finding bail to answer the charge at petty sessions, proceeded to pass sentence on him for the alleged offence, such sentence being that he should undergo a month's imprisonment unless he found bail for good behaviour during six months; if it was only on the protest of the prisoner's solicitor, Mr. Downes, that the magistrates ultimately consented to remand the charge to petty sessions; if the magistrates had power, under the circumstances, to adjudicate as they proposed, out of sessions; and, if they had not, will he take steps to insure that justice shall be done in similar cases in which prisoners may not be able to procure for themselves the protection of a legal defence?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, I have inquired into this occurrence. On a market day in Mullingar, Clarke was carrying about and exhibiting a placard of an inflammatory character. The constabulary on duty requested him to desist, and on his refusal took him before the resident magistrate and three other magistrates who happened to be in town. They heard the charge at the police barrack, heard what Clarke had to say about it, and then told him he must find sureties for good behaviour, or in default be committed to gaol for one month. Clarke said he would provide the sureties required; but just then a solicitor, Mr. Downes, with another gentleman, came up, and on being informed what had taken place, protested against the case being heard out of petty sessions. The magistrates, though not bound so to do, yielded to Mr. Downes's objection, and accordingly took bail for Clarke's appearance at the next petty sessions, on the 21st instant, to answer the charge. As to the legal part of the Question, I have to state that the magistrates had jurisdiction to deal with the case out of petty sessions as they proposed to do.

Mr. PARNELL asked if the magistrates had power to sentence a man to a month's imprisonment in such a case?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Yes, Sir, in the default of finding sureties for good behaviour.

Mr. T. D. SULLIVAN asked if the placard could be correctly described as inflammatory? It was as follows:—

> "Landlordism on its last legs. A sale will take place at the courthouse, Mullingar, on May 13, at 12 o'clock. Men of Westmeath, assemble in your thousands at the above sale, for the purpose of beholding the last struggle of landlordism against democracy. A contingency of the Land League branch of Westmeath will attend. God save Ireland!"

Mr. A. M. SULLIVAN asked if they were to understand that it was owing to the accident by which a solicitor was present that the man was not sent to gaol?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, the man, as I understand the case, was not about to be sent to gaol at all, for he was ready to provide the sureties required. The proceedings were had under the Common Law jurisdiction of Justices of the Peace. In answer to the hon. Member for Westmeath, I have to say that I do consider the placard in question an inflammatory one. It encouraged, and was meant to encourage, disorder, and the interference of the magistrates was, in my opinion, quite justifiable.

Mr. A. M. SULLIVAN wondered if it was within the knowledge of the right hon. Gentleman that placards were issued by the Nonconformists inviting people to witness the seizure of ministers' money in Ireland?

Mr. T. D. SULLIVAN remarked, that the Attorney General had forgotten to answer whether the man was given the option of bail awaiting trial, and whether the course was legal.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Such a course was perfectly legal.

MR. H. H. FOWLER asked if they were to understand that by the law of Ireland a man would be sent to prison for a month for carrying a placard like the one in question?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): For any breach of good behaviour a man may be sent to prison in England and in Ireland alike, if he does not give the security required for his future good behaviour.

MR. H. H. FOWLER: Not in England.

## SOLWAY FISHERIES—GEO. IV. c. 45, s. 9—REPORT OF THE COMMISSIONERS—LEGISLATION.

SIR JOHN HAY asked the Secretary of State for the Home Department, If his attention has been directed to the Report of the Commissioners on the Solway Fisheries (1881); and, if he proposes to introduce some legislative measure to mitigate the present excessive penalties to which persons are liable under the ninth clause c. 45 Geo. III. 1804, as recommended at page xiv. of the Report?

SIR WILLIAM HARCOURT, in reply, said, his attention had been called to the Report, and he would be extremely glad if he could bring in a Bill to give effect to it. He would, however, see whether a Bill of the kind might not be introduced in the other House, with the hope that there might be time to get it through both Houses in the present Session.

## INTERNATIONAL LAW—TORPEDOES.

MR. T. C. THOMPSON asked the First Lord of the Treasury, If the attention of Government has been called to a notice from the Greek Consul that torpedoes have been laid down for practice in the Gulf of Corinth; and, if the Government will endeavour to put a stop to the use amongst civilized nations of these secret weapons in naval warfare?

MR. GLADSTONE: Sir, I have no reason to suppose that the statement referred to by the hon. Member is incorrect. With regard to the latter part of the Question, Her Majesty's Government have certainly not formed any intention of negotiating with foreign Governments on the subject of torpedoes as being secret instruments of warfare, for this reason if for no other, that there are other secret instruments of warfare, such as mines and countermines, and that it would be very difficult to sanction the one description and prohibit the other.

## EVICTIONS (IRELAND) COUNTY MONAGHAN.

LORD CLAUD HAMILTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has yet received further information relative to an inquest held on the 30th ult. on Lord Rossmore's property, in the townland of Dumbarton, county Monaghan; if, in addition to the report of the circumstances he saw in the "Freeman's Journal," which created an impression that the case was unjustifiable and harsh, he also observed a letter from Lord Rossmore's agent, Colonel Lloyd, in that paper, on the 5th instant, explanatory of the transaction; and, if he is aware that Stewart, the tenant sought to be evicted, and on whose evidence the original charge was made in the newspaper referred to, has been returned for trial on a charge of wilful and corrupt perjury said to have been committed at the inquest already alluded to?

MR. W. E. FORSTER, in reply, said, that when he had before answered a Question on the subject he had not seen the letter from Lord Rossmore's agent, which gave a different aspect to the transaction. He saw, he might add, a paragraph in the newspapers to the effect that Stewart had been brought before the magistrates on a charge of perjury, and that he would be tried at the next Assizes. Pending the trial he could give no opinion in the matter.

## PARLIAMENTARY OATH—MR. BRADLAUGH.

MR. ARTHUR O'CONNOR asked the First Lord of the Treasury, Whether, having regard to the two Acts of Parliament passed in the last Session for the relief of Lord Byron and Lord Plunket from the liabilities incurred by them by reason of their having voted as Members of Parliament without having taken the oaths prescribed by Law, the Government are prepared to promote a similar measure in relief of Mr. Bradlaugh; and, if not, why not?

MR. GLADSTONE: Sir, it is certainly true that this House was pleased to pass Bills of Indemnity on behalf of Lord Byron and Lord Plunket, and it is likewise true that those Bills were taken in charge by Her Majesty's Government. But they were taken in charge by the Government, first of all because we were given to understand that the votes of the two noble Lords in question were given inadvertently; and secondly, because on a question of the kind, where there was no matter of difference of opinion, we thought it right as a matter of courtesy affecting the jurisdiction of the other House of Parliament to take the course which we adopted. With regard to the Question as it relates to Mr. Bradlaugh, I give no opinion upon it, beyond saying that it is evidently a different matter, and the Government have not thought it their duty in the present state of affairs to make any proposal to the House on the subject.

### SOUTH AFRICA—THE TRANSVAAL—THE NATIVE TRIBES.

Mr. GORST asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government are in possession of any information respecting the commandeering expeditions which it is said are being organised by the Boers of the Transvaal against certain of the Native tribes, to punish them for their loyalty to Her Majesty's Government during the recent insurrection; and, whether Her Majesty's Government have still authority to protect the natives of the Transvaal against outrages during the sittings of the Commission; and, if so, what steps are being taken to insure that such authority will, if disregarded, be enforced?

Mr. GRANT DUFF: Sir, the most recent intelligence of anything of the kind we have had was on the 12th, when we were told by Sir Evelyn Wood that Major Buller had been sent with Mr. Joubert to part a Native tribe and some Boers said to be hostile to it in the Keate Award territory. In reply to the hon. and learned Member's second Question, I have to say that we have such authority, but that the steps to be taken must necessarily depend upon the circumstances of each particular case.

Mr. GORST asked whether the Government had heard anything of expeditions being organized at Pretoria?

Mr. GRANT DUFF: No, Sir; we have heard of nothing of the kind.

### THE ROYAL MILITARY ASYLUM, CHELSEA—ROMAN CATHOLIC BOYS.

Mr. CALLAN asked the Secretary of State for War, Whether he will have any objection to lay upon the Table of the House a Copy of a Memorial from the Roman Catholic Clergymen at the Royal Military Asylum, Chelsea, on the subject of the provisions in force for the religious instruction and training of the Roman Catholic boys at that Institution, and of the reply, if any, given thereto by him?

Mr. CHILDERS: Sir, in reply to the hon. Member, I have to state that I received through Lord O'Hagan a Memorandum by Canon M'Mullen about the times of service and remuneration for the officiating priest at Chelsea Hospital and the Royal Military Asylum. I duly represented the rev. gentleman's views to the Commissioners of the two Institutions, over whom I have no administrative control, with the result that some change in the service has been approved; and I have somewhat increased the remuneration of the officiating clergyman. I do not think it necessary to lay any Papers on the Table.

### PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS—THE LAND LAW (IRELAND) BILL.

Mr. CALLAN asked the First Lord of the Treasury, Whether, in case the Irish Land Bill should be read a second time this evening, it is the intention of Her Majesty's Government to proceed with the Bill in Committee on Monday next, and, if not, when; and whether the Bill in question shall have precedence in the Orders of the Day of other Government business, more especially the Customs and Inland Revenue Bill?

Mr. GLADSTONE said, he had, in effect, answered the Question in the statement which he had already made. It was, he thought, reasonable and proper that some time should be allowed to elapse between the second reading and the Committee; and, in the hope that the second reading would be agreed to that evening, that day week might be fixed for the later stage.

### FRANCE—THE NEW COMMERCIAL TREATY—NEGOTIATIONS.

Mr. JACOB BRIGHT asked the Under Secretary of State for Foreign

Affairs, Whether the Government had received an invitation from the French Government to enter into negotiations with them with regard to the Commercial Treaty?

Sir CHARLES W. DILKE: Sir, I would ask permission to inform the House that an invitation has been received from the French Government to commence at once formal negotiations for the renewal of the Treaty of Commerce with France, and that those negotiations will take place in London. The Commissioners for France will be his Excellency the French Ambassador, M. Marie (Director at the Ministry of Commerce), and M. Bouillat, French Consul General in London. Her Majesty's Government will lose no time in appointing a Commission; and it is hoped that the first meeting will take place on Tuesday morning next. I may add that we hear from the French Government, that should a Treaty be concluded, it will not need to be presented to the existing Chamber, but would come for ratification before the new Chamber after the General Election. This will give ample time for negotiation.

## WAYS AND MEANS—INLAND REVENUE —MALT DRAWBACKS.

Colonel BARNE asked Mr. Chancellor of the Exchequer, Is it the case that the malt drawback was allowed to some of the London brewers on the quantity as shown by their books, and not taken by gauge; is it the case that Mr. Morse waited upon Mr. Forcey at Somerset House on the 4th October to protest against the injustice of the way dry malt was gauged, and offered on behalf of his firm to forfeit all the drawback if the quantity of malt did not measure six per cent more than they were allowed upon; is it the case that Messrs. Morse and Woods were allowed only £4,491 4*s.* 4*d.* drawback on malt they had in stock, and on which they were compelled by the Act to allow the parties to whom it was sold £4,763 5*s.* 8*d.* drawback; this £4,491 4*s.* 4*d.* was the return of three collections, Ipswich, Norwich, and Lynn—Ipswich, £1,879 15*s.* 3*d.*; Norwich, £692 4*s.* 6*d.*; Lynn, £1,919 4*s.* 7*d.*: total, £4,491 4*s.* 4*d.*; and, will he restore to Messrs. Morse and Woods the £272 1*s.* 4*d.* so received from them?

Mr. GLADSTONE: Sir, as regards the first portion of the Question, no drawback has been allowed upon any malt stocks that were not gauged by the Inland Revenue. With regard to the second portion of the Question, it cannot possibly be ascertained on what day the gentleman named called at Somerset House; but an answer can be given to the substance of the Question—namely, that the proposal which he appears to have made was a proposal which the Board of Inland Revenue were not able to entertain, because the legal time which was allowed for stock-taking, within which it might have been acted upon, had at that period expired. With regard to the third portion of the Question, the Board of Inland Revenue contended that upon the figures supplied to them by this firm, their stocks were properly and accurately taken, and the Board are quite ready to abide by any judgment on the subject.

Sir GEORGE CAMPBELL: Does the answer of the right hon. Gentleman apply to the Dublin brewers as well as the London brewers?

Mr. GLADSTONE: The information given to me makes no exception.

## PARLIAMENT—BUSINESS OF THE HOUSE—PARLIAMENTARY OATH BILL.

In reply to Mr. Newdegate,

Mr. GLADSTONE said, the Parliamentary Oath Bill would not be taken on Monday, and ample Notice would be given of the time when it would be taken.

## TURKEY—DEATH OF THE LATE SULTAN ABDUL AZIZ—ALLEGED COMPLICITY OF MIDHAT PASHA.

Mr. M'COAN asked the Under Secretary of State for Foreign Affairs, Whether the Government had received any information from Her Majesty's Embassy at Constantinople, in reference to the conditions under which Midhat Pasha had either voluntarily surrendered himself or had been given up by the French Consul to the Turkish authorities?

Sir CHARLES W. DILKE: Sir, we have not very definite information upon this point, and I would ask the hon. Member to accept my reply subject to possible correction. We have heard that Midhat Pasha, after having sought refuge at the French Consulate, himself left that Consulate and surrendered himself to the Turkish authorities. He probably had reason to believe that he would have been surrendered to the Turkish authorities in any case, because there can be no doubt that, looking to the circumstances, it would not have been legal for the French Consul to have given him his protection. We have reason to hope that Midhat Pasha will receive a public trial by the ordinary Courts.

## FOREIGN JEWS IN RUSSIA—EXPULSION OF A NATURALIZED BRITISH SUBJECT.

**Mr. J. COWEN** said, that, in order to elucidate the answer to a Question asked by the hon. Member for Greenwich (Baron Henry De Worms), he would inquire, Whether the Government meant to make any definite representation to the Russian Government as to the treatment of Jews who were British subjects in Russia; and, in the second place, whether the Government intended to give distinct notification in the "Gazette" that Jews being British subjects would not be protected by Her Majesty's Government in Russia?

**Lord RANDOLPH CHURCHILL** asked, Whether Her Majesty's Government had received information as to a considerable massacre and plunder of Jews which had taken place in a town, the name of which he was not able to pronounce, on the Galician Frontier, and as to a large number of Jews being forced to cross the Frontier? He also wished to ask whether a considerable massacre and plunder of Jews had taken place in the town of Odessa, and whether Her Majesty's Government had called for or intended to call upon Her Majesty's Chargé d'Affaires at St. Petersburg, or the Consul General at Odessa, for reports on the subject?

**Mr. O'DONNELL** asked, whether the Government, if they made any representations to the Russian Government, would in turn listen to representations that the Russian Government might make with regard to the treatment of peasants in Ireland?

**Sir CHARLES W. DILKE**: Sir, with respect to the second portion of the Question of the hon. Member for Newcastle (Mr. J. Cowen), I have to say that a notice was inserted in *The London Gazette*, before the present Government came into Office, stating that Jews in Russia were subject to certain disabilities—that they could not hold land, for instance—and generally warning the community. That publicity was sufficient, I believe, without the insertion of a further notice. With regard to representations made to the Russian Government, I stated to-day that no final determination had been come to on this subject, and it would be obviously improper for me to go beyond that reply. We have received no information as to massacres on the Austrian frontier, there being no representatives of Her Majesty in the frontier districts. With regard to Odessa, I have seen a paragraph in a paper, but we have heard nothing on the subject from Her Majesty's Consul at that place.

**Lord RANDOLPH CHURCHILL**: Will the hon. Baronet make formal inquiries into the matter?

**Sir CHARLES W. DILKE**: It is highly probable that we shall receive information in the course of a few days.

**Baron HENRY DE WORMS** asked, whether it was the fact that the Government had lately made representations to Persia in regard to the Nestorian Christians, and whether Persia was included in the category of places in which representations were likely to be made with satisfactory results?

**Sir CHARLES W. DILKE**: Yes, Sir; representations not only as to the Christian but also as to the Jewish population in Persia have been made within the last few weeks.

## PARLIAMENT—THE WHITSUNTIDE RECESS.

**Colonel MAKINS** asked the Prime Minister, Whether he was aware that on the Wednesday before Whit Sunday a race meeting would be held near the Metropolis, in which the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and other Members were much interested; and whether it would be by any chance possible to combine the secular and the ecclesiastical holidays.

**Mr. GLADSTONE**: I am afraid that there is no chance of our being able to combine the two holidays. In the present state of Public Business I should not be justified in proposing anything further than the ordinary Whitsuntide holiday—namely, from the Friday preceding Whit Sunday to the following

Thursday. Perhaps it would be for the convenience of the House if the House would accede to that arrangement, that we should have a Morning Sitting on the Friday I have mentioned.

## *ORDER OF THE DAY.*

* * *

LAND LAW (IRELAND) BILL.—[Bill 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[EIGHTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th April], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while willing to consider any just measure, founded upon sound principles, that will benefit tenants of land in Ireland, is of opinion that the leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic,"—(*Lord Elcho*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. CHAPLIN: Mr. Speaker, I do not doubt that I shall express a very general feeling when I say that the introduction of another Irish Land Bill in the year 1881, cannot fail to suggest to the minds of hon. Members reflections of the gravest, I will even say of the most painful character; and especially when we remember that it is not yet 11 years ago since the last great legislative measure dealing with this question was accepted by Parliament and by the country. To me, I must say that it seems but the other day that I heard the right hon. Gentleman, the author of this Bill, in language as eloquent as, and not dissimilar from that which he used the other night, unfold to a crowded and anxious House of Commons the details of his great scheme of Land Reform in 1870, by which, to use his own description, his very words at that time, he desired by a manful effort "to close and seal up for ever, if it might be," this great question so intimately concerning the happiness and prosperity of Ireland. Well do I remember the scene on that occasion, presenting as it did so marked and striking a resemblance, in many respects, to the scene we witnessed here again the other night before we parted, on the eve of the Recess. Then, as now, I need not say, the case of the Minister was urged with a power and an eloquence which was not surpassed even upon this occasion. Then, as now, there was the same conviction, the same sincere, I do not doubt, and deep conviction of the goodness and justice of his cause ; the same bright hopes and sanguine anticipations of a happy and a favourable future; the same popular acceptance of his views beyond these walls; the same powerful support of a great majority within them. Nay, more, as if to make more striking still the marked resemblance on these two occasions, the Minister himself conducted then, as now, with a magnificent and powerful appeal to the eternal principles of justice, in a speech which fascinated friends and foes alike, and which contributed, I do not doubt, Sir, in no small degree to the ultimate passing and the final triumph of his measure. I need not dwell on the progress of that measure. Suffice it to say that it shortly took its place on the Statute Book, and I think that hon. Members on both sides will bear me out in saying that for months—nay, more, and for many years—the Liberal Party, as a whole, were never wearied of singing pæans in the praise of what they called this great heroic measure of legislation. But, alas! Sir, for the vanity of human aspirations. What is the position of that Act to-day? What have been its fruits? What are its friends and supporters saying of that measure now? There it is, unhappily, recorded in a short and simple sentence in one of the Reports of one of the Commissions, not the Commission appointed by a Tory Government, and presided over by the Tory Duke of Richmond, but the Bessborough Commission—his own Commission—appointed by the Minister himself, to consider his own act and deed. And it recommends, Sir, nothing short of its total and absolute repeal. So much for heroic legislation. After 11 years' operation of its working, I think I might say—*Sic transit gloria mundi.* I commend the careful study of that sentence to the consideration of the Government. I think it cannot fail to be of use to hon. and right hon. Gentlemen on that side of the House, who were enthusiastic supporters of that measure at the time, and who, for aught I know, are trying hard to be again enthusiastic in support of the latest proposition of the Prime Minister for the regeneration of Ireland. I cannot help thinking that the Minister will himself acknowledge and allow that, with this knowledge and experience now before our eyes, we are bound more than ever to scrutinize most narrowly the grounds on which Parliament is invited to enter upon and sanction, for the second time, what seems to me to be the strange and revolutionary proposals contained, at all events, in one portion of this Bill. Now, let me ask the House to consider what are the grounds upon which this measure is brought forward. The right hon. Gentleman, upon the introduction of the Bill, gave us three reasons for his Bill. The first was that old and long-standing evil—namely, the land hunger, which permeated, as he said, the people of the country. The second he based on the fact that the Land Act of 1870 was defective, and had become inadequate for its purpose; and, as he called it, a third and a conclusive reason consisted in the fact that there were a limited number of bad landlords in the country, distinguished by conduct that differed from that of the greatly preponderating number. I am not here to-night to deny the justice or the truth of any one of those three reasons. But I utterly and totally deny that they are the only reasons for the introduction of this Bill; and I say that, on the other hand, the right hon. Gentleman has omitted altogether all mention of that which I conceive to be the chief and the principal reason of them all. I shall have a word to say on that point before I bring my observations to a close; but I desire, in the first place, to examine the reasons that the Prime Minister has given us himself. I quite admit that the first two reasons are deserving of our most serious attention; but I cannot say with any truth that I attach the same importance as the right hon. Gentleman to the third and final reason which he gave us—namely, that there are a limited number of bad landlords in Ireland. That, I am afraid, is no new information. We have known it all along, and for this reason—that there are always some black sheep in every flock. It is, unfortunately, true—no one here has attempted to deny it—that there are a certain number of landlords in Ireland who do not perform their duty; but I must remind the right hon. Gentleman that that is equally true of the possessors of every other kind of property in the world, and I certainly never heard before that that supplied a reason for mulcting the property of the great majority who do perform their duty. And that that is the case with the great majority of the Irish landlords we know, from the high authority of the Minister himself, for he told us that they had been tried and honourably acquitted—and really, if doctrines of this nature are in future to prevail, I cannot imagine where they are to stop, or what is to prevent the extension of this kind of argument to the partial confiscation of all kinds of property whatever. I cannot admit that the third and final reason of the right hon. Gentleman affords sufficient justification for the introduction of this Bill. But, Sir, with regard to the first two reasons he gave us, there, I must say, I think that the right hon. Gentleman does stand on stronger ground, when he tells us that the Land Act is defective, and points to the land hunger in the country as the rooted and the standing evil which demands legislation at our hands. Sir, it is, undoubtedly, too true that the Land Act, so far, has failed almost entirely to fulfil its objects. And why? Because that measure proceeded, if I may presume to say so, in the wrong direction from the outset. That Act erred not only in what it did, but even more, perhaps, in what it left undone; and it therefore failed—as it was doomed to fail, and as many people always said it would and must fail from the first. No policy of spoliation and injustice, I cannot and I will not believe, is ever really successful in the long run; and that Act was founded on injustice and nothing else, when it took the property of one class and transferred it to another class, without the smallest compensation being made. For instance, when the principle of compensation for disturbance was made a leading and vital principle of that measure—and here I would like to correct what I think is a wide-spread misapprehension on this point. I have heard it said that the Conservative Party, as a whole, accepted the principle of compensation for disturbance on the second reading of that Bill. They did nothing of the kind. Compensation for disturbance was not in the Bill at the time of the second reading; at all events, not in our view—not in our view of the Bill as it came before us on the second reading—but when it was altered in Committee, and Amendments were moved by the Government to make the principle of compensation for disturbance as clear as it is in the measure now before us, then by vote, and speech, and division, and every means in their power, it was opposed by the Conservative Party as a whole. But I have said that Act was worse even in what it left undone; and there are, I think, hon. Members on both sides of the House who will agree with me in this—that it must have been conceived in error and in total ignorance of the real interests of Ireland, when not the least attempt was made to grapple or deal with, or even to recognize, what has been so often spoken of as the "cancer" of the country, the acknowledged and undoubted source of nearly all it evils—namely, that frightful competition for the land which arises entirely out of the circumstances and peculiar conditions of the country. In 1870, the right hon. Gentleman said we take the facts and circumstances of Ireland as we find them; and there, I think, with all respect, the right hon. Gentleman was wrong. That was the cardinal blot of his Bill, when not the least attempt was made to deal with the evils arising from the competition for the land; and the consequence was that the circumstances of Ireland proved stronger than the Bill, and because he took them as he found them and left them as he found them, they have rendered the provisions of the Bill for the most part practically useless, and of no effect. It is generally admitted, I think, on both sides of the House, that in discussing the Irish Question one fact must always be kept in mind, and that is that apart from the land of Ireland there are few if any other means of subsistence for the population, and, consequently, there has always been for its possession an excessive and an unnatural demand. This, again, has led to most serious abuses, including nearly all those constant causes of trouble and complaint we are for ever hearing of in Ireland. The commonest of all is this—that the rent is constantly being arbitrarily raised. But admitting, for argument's sake, that it is so, let me ask the House what it is that enables the bad landlord to profit by his greed and exercise his power? It is the competition for the land, and that alone, which, if one man will not give the rent, always induces another to come forward and take his place. The same thing accounts for the extravagant prices we hear of as being given for tenant right. We were told by one witness before the Agricultural Commission of the case of one estate—and it was said to be by no means an uncommon one—on which the lowest price given for the tenant right was 20, where it averaged 40, and where, in one case, it had been known to reach the incredible sum of 63 years' purchase of the rent, or considerably more than the value of the fee simple of the land itself, irrespective of all considerations of tenant rights altogether. Why, what a monstrous and intolerable state of things this is. Again, I ask, what is it owing to? Certainly not to the greed and rapacity of the landlord in this case; because it could only have happened on an estate where the most unlimited right of free sale was in existence already, and where there is perfect freedom from all office rules, which it is fashionable now to call objectionable, but which I must say, for my own part, in a case of this kind, I should be disposed to speak of as of the most necessary and salutary character. It is owing to the same competition for the land, and nothing else. The same thing accounts for the overcrowding of the population in certain districts of the country, which the right hon. Gentleman the Chief Secretary for Ireland spoke of, in almost the closing sentence of his speech the other night, as the greatest evil of the country. And it accounts as well for the sub-division of their farms into miserable little plots of land, many of which, were they let rent free, would not enable the tenant to obtain a decent livelihood. And when I have mentioned the minute sub-division of the farms, the overcrowding of the population in certain districts of the country, the extravagant prices given for tenant right, the arbitrary raising of the rent, and still more, perhaps, the fear that it may be arbitrarily raised, I think that I have named nearly all the most prominent of the causes of disaffection and discontent in Ireland. It is easy, therefore, to perceive why the Land Act failed so completely as it did. Instead of trying to devise some other means of livelihood for the population; instead of trying to divert their attention as far as possible from these miserable little plots of land, to which, I fully admit, with a feeling with which we must all sympathize, many of them are passionately attached, it linked them more inseparably than ever to the soil. It made the occupation of the land more to be desired and more to be coveted than ever, by giving to the tenant a share in its possession which did not belong to him before, and instead of lessening the competition it tended rather to aggravate and to increase it. It afforded, in consequence, fresh opportunities to landlords who desired to do so to raise the rents; it stimulated and encouraged still more extravagant payments for tenant right; and, instead of doing anything whatever to promote a wise and judicious consolidation of the worst and most miserable holdings, by inflicting the fine of compensation for disturbance, it made that process more expensive and more difficult, and in many cases impossible for ever. Now, that I believe to be a fair and not inaccurate description of the working and effects of the Land Act of 11 years ago. And that being so, and competition for the land being, as I say, the great evil of the country, is the Bill now before us likely to be more successful than its predecessors? Well, Sir, I will say at once that in some respects I think that perhaps it may. It differs from the Land Act of 1870 in this—that the land hunger, at all events, is recognized, and there is some evidence in the Bill of a real intention and desire to deal with it; and, so far as these parts of the Bill are concerned, we have some reason to hope that perhaps it may be. But the Bill is of so varied and so intricate a character that I must ask the House to allow me to consider it under three distinct heads, each one of which would form, in my opinion, the subject of a Bill itself. In the first place, there are the clauses by which it is intended in the future to govern the relations between the landlords and tenants in Ireland, and these I shall call for the sake of distinction—not from any wish to use the words offensively, but because I think that they most accurately describe their real effects—the confiscation clauses of the Bill. Then there are the clauses by which it is intended to convert those who are tenants into owners of the land, and these may be fittingly described as the proprietary clauses of the Bill; and, lastly, there are the clauses by which it is intended to deal with the evils arising from land hunger. Such are the clauses relating to the reclamation of land and emigration, and these, I think, may very properly be termed the remedial clauses of the Bill, because they seem to me to be by far the most important in their probable permanent effect on the condition of the country. Let me, therefore, take the remedial clauses first. And here, I think, it must be evident to all that if we are really in earnest in our desire to go to the root of the whole question, we must begin by doing something to lessen the competition for the land and to relieve the overcrowding of the population in certain districts. That, in my opinion, is the starting point of all, without which, whatever reforms you may adopt, you may be certain will be rendered practically useless and of no effect as long as you allow the state of things in the West of Ireland to continue as it does. But, Sir, if they are to be relieved, it is equally clear that some of the people must be moved, and then comes the question—how are we to move them, and where are we to move them to? It would be too inhuman and too barbarous to turn these poor unhappy people out of their present homes, wretched and miserable though they be, until you first provide for some improvement, and, I hope, some real improvement, in their hard and in their bitter lot. I will be no party to turning them adrift to find their way across the Atlantic or elsewhere for themselves. But there are, now-a-days, facilities for schemes, which, if adopted, by emigration or other means, would confer great benefits on one and all. And however distasteful it may be, and however much they may be disapproved of and disliked by those who live by agitation in that country, by the professional politician, to whom continued agitation in Ireland is as the very breath of life, and whose occupation and whose means of livelihood, in many cases, wrung from his wretched dupes, would be gone without it; there is no real, and no true friend of Ireland, who can deny that, in their proposals for emigration, the Government have taken a step, and a long step, in the right direction. However, I cannot, on the second reading of a Bill like this, enter into the details of any scheme of emigration. There may be difficulties, no doubt, but they are by no means insuperable; and to those who have been enabled to make themselves acquainted with the views and opinions of men competent to form an opinion on the subject—men, for instance, like Lord Dufferin, who has enjoyed peculiar facilities—in arriving at a judgment on the merits of Irish emigration, both in our Colonies and at home, like Mr. Tuke, and others, who have written or have spoken on it, there cannot be a question, or a doubt, that a scheme of emigration, properly organized, and conducted with due and proper safety wards made for the reception of the emigrants, and for starting them upon their new career on their arrival with their families, would confer a blessing and untold boon, not only upon those who go, but on those as well who stay behind. But I would not stop at emigration, and at that alone; I should like myself to offer to these people an alternative as well—namely, that of migration to other parts of Ireland. In fact, to give them the choice between emigration and migration wherever it was possible; and wherever land could be reclaimed with advantage for that purpose. I cannot give my adhesion to the scheme proposed by the hon. Member who sat near me the other night, that the grazing lands of Ireland should be purchased, broken up, and adapted for the purpose. To me, it seems that to require that the grazing lands should be cut up in the worst and most inconvenient manner, for the purpose of affording means of livelihood to the surplus population, would be as wise as to require that machinery and all the modern improvements of science should be banished from our manufactories to give employment to the surplus population in our towns. But with regard to reclamation of land and migration to those parts of Ireland, I may say that nothing was more strongly urged by witnesses before the Agricultural Commission, who, I believe, were thoroughly competent to give evidence and form opinions on that subject, than the advantages and the necessity of providing for the surplus population of the West, by an offer of migration as well as emigration from the country; and I hope that the Government, if Amendments should be moved in that direction, will see their way to accept them, in order to enlarge their scheme as far as migration is concerned. Now, Sir, I suppose it would not be proper if I said anything as to the establishment, or re-establishment, of manufacturing industries in Ireland. I was struck by something that fell from the right hon. Gentleman the Chancellor of the Duchy of Lancaster the other night on this point. No doubt, Ireland does possess exceptional advantages in water power which might be turned to great advantage; and I cannot think that any reforms or remedial legislation that may be adopted can be considered satisfactory or complete which does not include encouragement, and, if necessary, assistance for the re-establishment of some of those industries in Ireland which, in former days, were destroyed by the bitterly unjust and selfish policy of England. Well, now, Sir, I come to the proprietary clauses of the Bill, the darling project, I presume, of the right hon. Gentleman the Chancellor of the Duchy of Lancaster—his beau ideal of rural happiness and prosperity, not only in Ireland, but, I believe, throughout the world. Now, I quite admit the social and political importance of adding largely, if possible, to the number of owners of land in Ireland at the present time; but I do not think that your Bill is in the least degree happily designed for the accomplishment of that object. All I can say is this—that if I had to choose between the position of an occupier or owner, a landlord or a tenant, under this Bill, I should not hesitate for an instant in taking the position of the tenant. I cannot conceive what is to induce people to become owners of land under this Bill which you have brought forward. But, at the same time, I am not indisposed to give a fair trial to the experiment of the right hon. Gentleman. Still I must remind the House that it is a great experiment, and I cannot share his sanguine expectations as to the result. I am not speaking now of the enormous liabilities and risks you are about to impose on the taxpayers of the country.

And remember that is a subject in itself of importance that cannot be overrated. What you are going to do is this—you are going to make the State the chief and greatest landlord in Ireland, at a time when the whole institution of landlordism is being violently denounced and assailed. But I am looking more to its future effects on the condition of the people and the fertility of the land itself; and I should like to ask the right hon. Gentleman what precedence and what experience has he for his guidance? I was disappointed with the speech of the right hon. Gentleman the other night. He told us, from despatches he quoted, that vast numbers of the serfs in Russia had been converted into owners of the soil, and that a large proportion had repaid the money they borrowed to re-purchase the land. But why did he not say something of their condition at the present time? Was he ignorant of their condition, or was it that he knew that a statement of their condition would tell against his proposals? I was reading a remarkable article the other day bearing on this question. It gives a description of the Russian serfs now owners of the land in Russia, well worthy the attention of the House, and what it says is this—

> "From one end of the country to the other the so-called peasant proprietors"—that Radical ideal of the agrarian status—"are in a state of semi-starvation; while in several of the Volga Provinces, once the richest in agricultural produce, the starvation has assumed the form of a widespread famine which the Government is engaged in alleviating by considerable grants of money. This calamity has not overtaken the country casually and without warning. It has been approaching systematically for the last 10 years, and cannot be ascribed in any important degree to the simple visitation of God or the operation of abnormal climatic phenomena."

Well, now, Sir, the evidence given with regard to the purchase of land in Ireland under the "Bright Clauses," as they were called, or from the Church lands, is of a most conflicting character; but I should like to ask the right hon. Gentleman whether he looks to any other foreign countries and the systems that prevail there? If he does, all I can say is this—that the evidence that it has been the duty of the Agricultural Commission to take on this point does not warrant that conclusion, but rather the reverse. But it is not necessary to look abroad at all. We have experience much nearer home. It is an entire mistake to suppose that there is no peasant proprietary in England. In the county I represent there are hundreds—thousands of freeholders and peasant proprietors at the present time. Vast tracts of country, vast areas of land—I am not speaking solely of the Isle of Axholme; but on the East Coast of Lincolnshire, between the Humber and the Wash, you will find vast tracts of country peopled, to a great extent, if not exclusively, by them. And I have seen, and I know something of the lot of these people for myself, and I will say at once, from my experience of them, that a more exemplary and industrious, a more deserving and hard-working class does not exist in England. I wish to Heaven I could say the same of their prosperity. But, alas! with them, Sir, at the present time, prosperity and comfort are unknown; their work is harder and their fare is worse than that of any labouring man in England. But, notwithstanding this, and all their efforts, and all their admirable conduct, many of them—aye, far too many of them, for they are a class that I should wish to see increased—have been utterly undone by an unhappy combination of unfavourable seasons and the relentless foreign competition which for some years now they have been called upon to undergo. The complaint of even those who have been able to bring them to maturity is this—that their crops make nothing, and that ruin stares them in the face; and their lot is harder far than that of either labourer or tenant for another reason too, which I commend to hon. Gentlemen opposite below the Gangway, who are always ready to denounce and to declaim against the territorial system of this country; and it is this—you may rest assured that the mortgagee at all times will demand the punctual payment of his interest far more sternly than the landlord ever does, or, in unfavourable seasons, ever did demand the punctual payment of his rent. In this distressing and deplorable state of affairs, the land is steadily losing its fertility, and, *pari passu* with its owners, is going rapidly from bad to bad, and from worse to worse. And if this is what is happening in England, why are you to expect such a very different and so much more favourable result in Ireland? The fact is, and I often think it is the irony of fate, that it is the right hon. Gentleman himself, more than any other man in England, who has rendered a successful peasant proprietary, as I believe, in this country impossible in future. There were yeomen, and there were peasants too, who flourished at one time in considerable numbers in this country; but they have disappeared in a great degree, and much to my regret, as I regard the class of yeomen as a class we can ill afford to lose, and one that it will be still more difficult to replace. But they have disappeared and died out in a great degree, and they did so, for the most part, with the advent of Free Trade. Now, I am not going to say one word about Free Trade to-night. It may be a very good thing in its way; no doubt it has been, and a peasant proprietary may be the same. No doubt, they are both of them excellent things in their way; but you may depend upon this—that, under existing commercial conditions, the two things cannot flourish in England together. And, as I suppose the right hon. Gentleman is not at present prepared to part with Free Trade, or to occupy that suite of apartments in certain public establishments in this country, which he is always ready, I observe, to offer to those of his Friends who make that proposal, I am afraid that he must give up for the present his dream of a peasant proprietary in Ireland. That, however, is only my opinion. I do not presume to dogmatize upon it, nor to offer more or less, perhaps, crude opinions of my own, to the views of the right hon. Gentleman, who, I understand, has made a life-long study of this question; but I have ventured, and, indeed, I have thought it my duty to place this view of the case, which I have seen something of myself, before the House of Commons, because it does seem to me to be one that is deserving of our most careful and serious consideration before we finally adopt proposals of enormous importance like those which have been put forward by the right hon. Gentleman. At the same time, although I cannot share his sanguine views, and while I must decline all responsibility for them, I should not feel either justified or right in refusing, at all events, a fair trial of his scheme. Sir, the House, then, will perceive that while I am prepared to give a qualified assent to what I have called the proprietary clauses of the Bill, I go heartily and completely with the Government, perhaps I go further than the Government, in what I take to be the remedial portion of the measure, and specially intended to deal with that which the right hon. Gentleman the Prime Minister himself has described as the old and rooted evil of land hunger in the country. But when I come to what I have described as the confiscation clauses of the Bill, there, I am afraid, I must adopt a very different attitude indeed. I am quite aware that hon. Members on that side of the House are sometimes apt to be indifferent to charges of confiscation, especially when made by hon. Members on this side. But that is not the case with the right hon. Gentleman the Prime Minister. He takes quite a different line. He stoutly denied the other night that there was any confiscation under the Act of 1870, and he has challenged us to prove that there is confiscation in the Bill of 1881. And, further, he supported his statement as to the Act of 1870 by alleging that, according to statistics, rents have risen, and with the rise of rents the value of property which has been sold in Ireland has been increased since the passing of the Act of 1870. Now, even supposing that allegation is correct, it does not necessarily prove that he is right. It is the natural tendency of everything in these days, as years roll by, to increase in value, because gold has been daily becoming more plentiful; and what we have to consider is, not whether land in Ireland has increased at all in value within the last decade, but whether the increase would not have been considerably greater if it had not been for the passing of the Land Act 11 years ago. That is supposing this allegation is correct. But is the right hon. Gentleman correct? The right hon. Gentleman gave us no statistics the other night; but he did give us some last Session, I remember, in regard to this question. They stopped, however, with the year 1878. Why did they stop there? Why has he not given us statistics down to the year 1881? They would have thrown considerable light on his assertions. I have not myself been able to obtain statistics for 1881; I have not had time to do so. I had no idea, for a moment, that such an argument would be advanced; but it so happens that I have some statistics that were sent to me from Ireland last Session in regard to the year 1880, and I will read three cases which bear directly on the value of land. They are taken from sales in the Land Court, before Judge Flanagan, and the date is June 25, 1880—not quite a year ago—

"Lot 1, 563 acres; yearly rent £180; sale adjourned, there being no bidding."

"Lot 3, 42 acres; yearly rent £85; the only bid £500; sale adjourned."

"Lot 4, 387 acres of the lands of Molloy, producing a yearly rent of £156 9*s.*; Mr. T. McCreedy, solicitor, offered £2,000. There was no other bid; and after waiting for some time, Judge Flanagan said—'It is a perfect farce to be putting property up for sale now. For all I know, Mr. McCreedy, you may get it for half £2,000 next year. No mortal man can tell. Your bidding, however, is not quite 12 years' purchase.'"

Now, Sir, I do not know what the statistics of 1881 may say; but if they at all bear out the records of sales in the Land Court in the year before, I think the House will agree with me that the right hon. Gentleman has certainly not disproved the charge of confiscation against the Act of 1870 by the singularly unfortunate illustration he has selected upon this occasion. The right hon. Gentleman challenged us to give him proof of confiscation in the Bill which is now before us. Perhaps I may be allowed to offer to the House a short and simple definition of what I mean by "confiscation;" and if the House accepts my definition, and if I am able to show, as I think I shall be able to show, that it is strictly applicable to this part of the Bill, I may at least hope that some hon. or right hon. Gentleman opposite will do me the favour to attempt, at all events, to meet the arguments I shall use, and, failing that, to acknowledge the truth and justice of my position. Now, what does "confiscation" mean? I understand confiscation to mean this—we are guilty of confiscation if we take away property or valuable rights, which at present they enjoy, from those who are entitled to them, without making compensation to them for the property or the rights of which they are deprived. Will any hon. Member on the other side of the House deny that proposition? If not, then I wish to ask the House this question. Does or does not the Bill perform that operation? I think I can undertake to show in the course of about three minutes that it does. Take the case of present tenancies alone, where tenant right did not exist before. What happens under this Bill? The day this Bill passes, every tenant will be able to take his landlord into Court, and, whether his rent be a high rent or a low rent, to call upon the Court to fix it in future. If the tenant once goes into Court, the Court is bound to fix the rent, and it becomes in future, in the language of the Bill, a "judicial rent." Thereupon, a judicial rent being established in that way, the farm from that time forth is held subject to what are called the "statutory conditions" of the Bill. These "statutory conditions" really include fixity of tenure for 15 years for certain, and a renewal of fixity of tenure for successive periods of 15 years as long as the tenant may desire. It may be described without exaggeration as being really an actual fixity of tenure if the tenant so desires. But "fixity of tenure," in the words of the Prime Minister in 1870, is virtually the "expropriation of the landlord!" It undoubtedly deprives him at once of all real control and management over his estate in future, and it deprives him of all what may be called the advantages and pleasures of ownership. It deprives him, in a word, of nearly every right you can mention that attaches to the possession of an estate in Ireland, excepting the receipt of whatever rent-charge the Court may think fit to allow him. Now, nobody can deny that these rights do possess a certain value, whether they be little or whether they be great, and you are going to take them from the landlord without giving him the smallest compensation whatever. I say, then, that if my definition of confiscation be correct, the fixity of tenure, as embodied in your Bill, even for a period of 15 years, is neither more nor less than sheer and simple confiscation. And that is not all. Every tenant in future will have the right to sell his interest in his holding for the best price he can obtain, subject, I admit, to this limitation, which the Prime Minister pointed out the other night—that the landlord may claim his right of pre-emption; and in that case he may call on the Court to fix the price of sale. But though the Court may be called on, in this way, to settle the price which the landlord is to give to the tenant for the tenant's interest in his own estate—a somewhat novel and remarkable state of things in itself—I do not understand that the Court may fix the price at zero; the Court, I understand, is bound to allow the tenant something for his interest, otherwise the right of sale, so ostentatiously paraded in the first line of your Bill, would be nothing but a farce. And if that be so, what is the landlord's position, if the tenant should elect to sell? If, for instance, the tenant wishes, for some cause, to give up farming and take to something else, the tenant will at once be able, however liberal may have been the terms in point of rent or otherwise on which he has held the farm up to the time of sale, to realize a sum of money for an interest for which he gave absolutely nothing upon entry, and every penny of which is just so much taken directly out of the pocket of the landlord, and deducted from the rent which he would otherwise receive from the tenant who succeeds him. It makes no difference whatever to the tenant who comes in. In either case he will have to pay the same, either in increased rent, or in the shape of interest on the sum of money he pays for the goodwill; but the tenant who goes out, although he may have held the farm at the lowest of low rents, and on the most liberal terms for years, is to receive from the tenant who comes in a sum of money which, on every principle of right and of justice ever known, is the property of the landlord, and of no other person in the world. You give him no compensation for this, and if my definition of confiscation is correct—and it is, I believe, generally accepted by the House—this, again, is nothing less than mere and sheer and simple confiscation. Let me test it on another and most simple ground. You are going to confer on the tenant a great boon—"a pecuniary advantage" you tell us. Where is it to come from? Does it come from the estate? Out of whose pocket does it come? It comes out of the pocket of the landlord and of nobody else. How do you get over that point? I hope, when the right hon. Gentleman or some other Member of the Front Bench comes to speak, he will be able to explain more clearly than has been done that this Bill does not embrace the principle of confiscation. Now, Sir, having shown, to the best of my ability, that they both mean confiscation, let me say a word as to the policy of fixity of tenure and free sale, as embodied in this Bill. "Free sale" may be summed up in a sentence. Free sale, however you may try to limit it—for whatever rules the Court may make will be evaded, just as office rules are evaded at the present time—free sale, I say, is only another word for rack-rents everywhere in Ireland in future, and fixity of tenure is even worse; for fixity of tenure, in plain English, means taking the property of one man and giving it to another, and my authority for saying so is a Member of the present Cabinet—the highest legal authority in England, Lord Selborne, the present Lord Chancellor, who said it as Sir Roundell Palmer in this House, at a time when he and his Colleague, the right hon. Gentleman, were fighting tooth and nail against this very principle, its advocate to-day. Truly, what a marvellous specimen of policy and statesmanship this fixity of tenure is. What does everybody who knows anything about Ireland tell you is her first requirement at the present time? Why, capital, and the investment of capital in that country. And what sort of inducement do you think it is that you are offering to capital, and to those who are its owners, at the present time? Why, your own Lord Chancellor has told us that your great and grand specific for the troubles you are placed in at the present moment, and which you have so thoroughly brought upon yourselves, is, in plain English, taking the property of one man and giving it to another! Was there ever, out of Bedlam, such as policy as this put forward by a Minister for the regeneration of Ireland before? I pass on to consider what I understand to be the principle of this part of the Bill. The House will have observed that, although this Bill embodies what are known as the "three F's," yet that fixity of tenure is contingent on judicial rent, and the right of sale is, to a certain extent, controlled by the power of the Court to fix and regulate the rent. I take it, therefore—and it has been admitted by more than one Member of the Government—I take it, therefore, that judicial rent is the centre and pivot on which the remaining portion of this Bill must turn. In other words, the main principle of this part of the Bill is the valuation of rents by the State. That being so, I confess I listened with the utmost curiosity to the explanation of the Prime Minister on the introduction of this Bill, because it so happens that, in common with a good many other hon. Members of this House, it was my good fortune some years ago to hear him discourse at great length on this very question; and I must do the right hon. Gentleman the justice to say that a more complete, a more able, or a more elaborate destruction of the very principle he advocates to-day I never heard from any other Minister or statesman on any other subject in the world. It is far too long to quote; but it is very instructive and most interesting to read. ["Read, read!"] I have not got it here, and therefore I cannot read it; but hon. Members who are desirous of doing so, will find in Vol. 199 of *Hansard*, beginning about the bottom of page 1843, some five and a-half columns of what appeared to me to be absolutely unanswerable and conclusive arguments against the very proposition which forms to-day the main and the essential principle of this part of the Bill. I confess that I was not very much surprised, because since I have taken any part in public life I have noticed this—and I do not in the least wish to speak with any offence or disrespect towards the right hon. Gentleman—but I have noticed this, that when he professes a policy most loudly it is always 2 to 6—and that is far from being liberal odds—that, sooner or later, exactly the opposite is almost quite certain to occur. At all events, that is what has happened upon this occasion. [Mr. Gladstone: Not at all; not at all.] Well, let the right hon. Gentleman disprove it if he can; he will have every opportunity. But how does the right hon. Gentleman account for it on this occasion? I listened with great attention to the speech of the right hon. Gentleman on the introduction of the Bill; but the sole excuse and explanation I could gather from his speech was this—that in the present circumstances of Ireland, and with the authorities before us, this change had become quite inevitable. And what were his authorities? He did not condescend to tell why it was inevitable; but he told us what authorities he looked to. They were the rival and various Reports of the two Royal Commissions. I have not a word to say to the Report of the Bessborough Commission, or to the Minority Report of the Duke of Richmond's Commission; but I have a good deal to say as to the Majority Report of that Commission. The right hon. Gentleman has placed a very remarkable construction upon that Report. But, in the first place, I would refer exactly to what he said the other night. He taxed me with being in some way connected with this Bill. The right hon. Gentleman dwelt at great length, not only on Monday night, but on the first introduction of the Bill, on the Report of the Duke of Richmond's Commission, and he quoted a single paragraph from that Report at least twice or three times. I can assure him we are exceedingly complimented by the attention he has paid us; and here, again, I think that I perceive another of those complete conversions of opinion of which I spoke just now, as amiable, I must say, in this case as it is complete, and which are so eminently characteristic of the right hon. Gentleman. Last year the House will recollect the Richmond Commission was the grossest delusion that ever was practised on the mind of man. This year it is a high and responsible authority, to which the right hon. Gentleman looks for guidance and direction, and the humblest of its Members—the Member for Mid Lincolnshire—is, indeed, exalted to the high honour, for he is suddenly informed that he shares with the Prime Minister the paternity of this Bill. I cannot express to the right hon. Gentleman my unbounded gratification at this complete change of sentiment on his part. I tender to him my grateful acknowledgments and thanks; but both natural modesty of disposition and my strict adhesion to truth compel me alike, I am afraid, to decline this signal mark of favour which he presses on me, and I hope he will not think me churlishly ungrateful if my desire to preserve whatever reputation and character I may still enjoy, either of a public or a private nature, impels me to renounce all connection whatever with what I suspect to be the disreputable offspring of an illicit amour of his own with the

Land League, and which the right hon. Gentleman, with an audacity—a happy audacity I have rarely seen equalled—is now trying to father upon me. I really must protest altogether against this attempt on the part of the right hon. Gentleman to father that illicit child on me. But now, Sir, in all seriousness, let me consider for a moment the construction which the right hon. Gentleman has placed on the Report of the Duke of Richmond's Commission. What is that construction? I understand it to be this—that what we have recommended is the establishment of a Court, or of some other public authority, to regulate rents everywhere in Ireland in future. Now, I venture respectfully to say that we have recommended nothing of the kind. All that we have said, and I adhere to every word that we have said, is this, that—

> "Bearing in mind"—I am afraid I shall have to read it again—"bearing in mind the system by which the improvements and equipments of a farm are very generally the work of the tenant, and the fact that a yearly tenant is at any time liable to have his rent raised in consequence of the increased value that has been given to his holding by the expenditure of his own capital and labour, the desire for legislative interference to protect him from an arbitrary increase of rent does not seem unnatural."

Arbitrary increase of rent on what? Why, on the expenditure of his own capital and labour. I think I should be content to submit to the verdict of any legal authority on either side of the House, and I think they would pronounce unanimously in favour of my interpretation of that paragraph of that Report. I do not know what might happen on that side; but I would certainly undertake to submit to the verdict of any legal authority on this side. And now let me ask the House, how does the right hon. Gentleman arrive at this extraordinary construction? First, he quotes one single paragraph in the Report, in which no mention of a Court is even made, and then he went on to tell the House that, in his view of the case, legislative interference with rent could not be disassociated from legislative interference with the right of sale and tenure. In other words, what he says is this—"If you take one of the 'three F's'—namely, fair rent—you must take them all"—and having laid down that proposition, he then goes on to say that the language used by the Commission, and the necessary construction of the single paragraph he did read, must mean that and nothing else, when the very following paragraph of the Report, for some reason best known to himself, he thought fit not to read, says, as I understand it, exactly the reverse. Remember the proposition of the right hon. Gentleman is—"If you take one of the 'three F's' you must take them all." And the following paragraph of the Report of the Agricultural Commission says—

> "With a view of affording such security, 'fair rents,' 'fixity of tenure,' and 'free sale,' popularly known as the 'three F's,' have been strongly advocated by many witnesses; but none have been able to support these propositions in their integrity without admitting consequences that would, in our opinion, involve an injustice to the landlord."

Well, now, that is the language of the Report, and how the right hon. Gentleman, in the face of that second paragraph, could have placed the construction which he did upon the Report of the Duke of Richmond's Commission passes, I must say, altogether my humble, although it may be somewhat limited, comprehension. I frankly own, for my part, that I disapprove of the proposal altogether; because it always seemed to me that the valuation of rents by the State in Ireland, either with justice or with satisfaction to the interested parties, is neither practicable nor possible by any Court whatever in the world; and for the very reasons which were literally driven home by the right hon. Gentleman himself at the time he utterly demolished that proposal when it was formerly brought forward in this House. And I cannot understand how a Minister in this House can either ask or expect the House of Commons to accept proposals, until otherwise explained, of which he has publicly declared in this House he could conceive nothing more calculated to carry wide-spread demoralization throughout the mass of the people of Ireland. I admit that it is desirable that this question should be settled; and if, on some other occasion, the right hon. Gentleman would do what I think he might do, and what I think he ought to do, to remove the difficulties which many of us feel—namely, take his own speech in 1870 and answer *seriatim*, if he can, the arguments he used on that occasion, then I can only say, as far as I am individually concerned, I shall be disposed to make large sacrifices of my opinion in order to arrive at a happy solution of this question. But, unless that should be done, and until it has been done, I shall feel it my duty to oppose, from first to last, the adoption of these principles into our legislation, and for the very reasons that have never yet been answered, and which were supplied by the Prime Minister himself. I object, then, altogether, both in point of policy and in principle, to this part of the Bill; and I view, I confess, with the utmost apprehension what seems to me to be its probable permanent effects. I agree with what the Prime Minister said in 1870—that it is calculated to demoralize the people. It cannot fail, I think, to lead to the establishment of rack-rents everywhere in Ireland. It will destroy all confidence, and all sense of security. Nay, I think it has gone far already to destroy them in regard to all kinds of property in Ireland, and, with them, will most inevitably banish capital and the investment of capital in that country. And although I admit that it does confer enormous boons on one class of the country—namely, the present occupiers of land, it confers those boons upon them alone; and even that is done at the expense, and at the sole expense, of one other class of the community—namely, those who are the owners of the land in Ireland. And what kind of treatment is it that you ask us to inflict upon them; first, you are going to take away from them all interest in the future management of their estates. You deprive them of the rights, and you release them from all the duties which attach to property in Ireland, and you convert them in future to the position of mere rent-chargers on their own estate. And that is not all, for in all human probability you are going to inflict upon them a large pecuniary loss as well. Under this Bill, you may lower their rents, mulct them of a portion of their income, and fine them of part of their possessions, bought very likely, for anything that you know, on the faith of your public professions and inducements, and on the guarantee of a title which very likely Parliament has given them itself. A case was submitted to me the other day, which I may mention. A friend of mine, about a year ago, bought an estate for £30,000 in Ireland. He bought it in the Land Court. The rent was certified by the Judge, and endorsed upon the title as certified by the Judge. If you pass this Bill, and he is taken into Court, you may reduce his rent by £200 or £300 a-year. [Mr. JOHN BRIGHT: The rent was not guaranteed.] But the title was guaranteed, and what is the use of the title without rent? Does the right hon. Gentleman suppose that people invest £30,000 in estates in Ireland to look at them? They invest as a means of interest, to receive something back as interest. And in this case it is possible that the rent may be reduced £200 or £300 a-year; and are you going to give the man to whom you have sold the estate yourselves compensation, or, failing that, are you not bound to re-purchase his estate on equitable terms? It is the gravest possible question in my mind whether you are justified in doing this under any circumstances at all. It may, I know, be argued, I know it has been argued, that the State has the right to reduce him to that position if it thinks fit. But then the State is bound not so to think fit until it has shown conclusively that it is for the public interest and welfare; and I do not think that you have done so. I admit that may be a matter of opinion; but this is not a matter of opinion, that whether you have shown that it is expedient or not, you are bound—there can be no question upon this point—to give him compensation. And I ask where, in what clause, what line or sentence of this Bill is there the smallest compensation mentioned? You give none, and I say then there is only one description for measures of this nature—you tell us of judicial leases and judicial rents. I say, in the presence of the Government and of the authors of this Bill, that this part of your Bill is nothing else than one great scheme of judicial plunder, more worthy, I had almost said, of a Cabinet of—but I will not use the expression that I had upon my tongue—of anything rather than of Ministers of State. And all this harsh and cruel treatment of the landlord is to be inflicted on him—why? Because you tell us that the circumstances of Ireland absolutely call for legislation at your hands. Granted that it be so. I acknowledge that the present circumstances of Ireland must be dealt with sooner or later. I do not stop to inquire who it is that has brought Ireland into that position, though it would not be difficult to show. But why inflict all these pains and penalties on the landlords? They are not responsible for the circumstances of Ireland. They did not create that fatal competition for the land which is the cause of nearly all the evils you complain of. They are not to blame for the absence of manufactures, and of other industries in Ireland, which has driven the people to the land, and to the land alone, as their resource. Nothing of the kind; and no one knows it better, I suspect, than the Prime Minister himself. And if we really want to know the truth upon this question, and if we have the courage and the candour to acknowledge it to ourselves, we must look—not to the landlord element in Ireland, but to a very different cause indeed, to find the source of that which I admit is, perhaps, the most perplexing problem of the time. The truth is that the English Parliament and the English people are mainly responsible for those conditions of the country which have driven the people to the land, and to the land alone, for their support. It was not always so; there were other industries in Ireland in former days which flourished, and flourished to a considerable extent, until they first aroused, and were afterwards suppressed, by the selfish fears and the commercial jealousy of England; England, who was alarmed at a rivalry and competition that she dreaded at the hands and from the resources and energy of the Irish people. The history of what happened at that time is so admirably given in a series of letters published about 100 years ago, in a little volume called *The Commercial Restraints of Ireland*, that, with the permission of the House, I should like just for one moment to refer to it. I know of nothing more painful in the whole history of Ireland, or more calculated to bring a blush to the faces of every Englishman than the plain unvarnished tale they tell. What happened, in a word, was this—Petitions were presented to the King, by both Houses of Parliament, in the year 1698, praying him, by every means in his power, to hinder the woollen trade of Ireland. One single passage from the Petition of the Commons will sufficiently explain their nature. This is what it said—

> "And we do most humbly implore Your Majesty's protection and favour in this matter, and that you may make it Your Royal care, and enjoin all those You employ in Ireland to make it their care, and use their utmost diligence to hinder the exportation of wool from Ireland, except to be imported hither, and for the discouraging the woollen manufactures and encouraging the linen manufactures in Ireland, to which we shall always be ready to give our assistance."

This Address was presented to the King, and the answer was explicit. It was this—

> "I shall do all that in me lies to discourage the woollen trade in Ireland, and to encourage the linen manufactures there, and to promote the trade of England."

Now, Sir, what followed upon this? A Bill had already received the Royal Assent on the 25th January of that year, by which large additional duties were imposed on the exportation of all woollen goods from Ireland. But this was not sufficient to satisfy the English Parliament, and, in the words of the same writer, a perpetual law was made prohibiting the exportation of all goods made or mixed with wool, except into England and Wales; and as duties amounting to prohibition had been already imposed on the importation into England, this measure practically operated as a complete prohibition of the exportation of woollen goods from Ireland. The immediate effects of this cruel law cannot be described better than they are depicted by the same historian, in two pictures which he draws of Ireland before and after the passing of this law. Before the passing of this law, he says—

> "After the Restoration, from the time that the Acts of Settlement and Explanation had been fully carried into execution, to the year 1688, Ireland made great advances, and continued for several years in a most prosperous condition. Lands were everywhere improved, rents were doubled, the Kingdom abounded with money, trade flourished, to the envy of our neighbours, cities increased exceedingly, many places of the country equalled the improvements of England, the King's revenue increased proportionally to the advance of the Kingdom (which was every day growing), and was well established in plenty and wealth; manufactures were set on foot in divers parts; the meanest inhabitants were at once enriched and civilized, and this Kingdom is then represented to be the most improved and improving spot of ground in Europe."

How happily does this contrast with the state of Ireland to-day. But no sooner was that fatal policy accepted than a change indeed came over the spirit of the dream; and what we learn of Ireland afterwards is this—

> "The consequences of this prohibition appear in the Session of 1703. The Commons lay before Queen Anne a most affecting representation, containing, to use their own words, 'a true state of our deplorable condition' they set forth the vast decay and loss of its trade, it being almost exhausted of coin; that they are hindered from earning their livelihoods, and from maintaining their own manufactures; that their poor are thereby become very numerous; that great numbers of Protestant families have been constrained to remove out of the Kingdom, as well into Scotland as into the dominions of foreign Princes and States."

I make no comments on these statements. Their simple and pathetic eloquence speaks, I think, Sir, fair for itself. The Chancellor of the Duchy of Lancaster, the other night, spoke of the confiscations in Ireland in past ages, and he traced the miseries of Ireland, in great degree, to them. But these confiscations, I must remind him, occurred before, not after, the glowing picture of prosperity that I have given. Her condition, therefore, cannot fairly be ascribed to those confiscations to which he alluded, and I am convinced that it is in the history of these cruel laws that lies the secret of that fatal competition for the land in which, and it may well be, a just retribution upon us, the source of all the troubles and the difficulties that you have to deal with will be found. And now I want to ask this question. Were the Irish landlords guilty of these cruel laws? Can even the English landlords be said to have been mainly instrumental in their passing? I do not know, I am sure, how far the latter can be called upon to bear their share of blame. I have read, I am afraid, of laws that prevented the exportation of cattle into England, to prevent the rents of grazing lands in England going down; and I suspect, if all the truth be known, they cannot be acquitted of their share of selfishness as well. But this I do know, that the men who were mainly responsible for the passing of these cruel laws were the great manufacturers and traders of that day in England, men belonging to a class whom I see so largely represented in the Benches opposite to me to-night. They were, in fact—and I may say this without offence, as I am sure that no offence whatever is intended—they were the Forsters, the Chamberlains, and the Brights of that day and time; and it is reserved for their successors in 1881—the successors of a class who fattened and grew rich for ages on the proceeds of a trade, which, to her misery and ruin, they first destroyed in Ireland. It is reserved, I say, for them to call upon the Parliament of England in 1881, in their loudest tones of spurious justice, and of spurious generosity, to make atonement for the sins, and for the crimes, of the whole British nation by inflicting yet another and a mortal blow on one class of the Irish people; on one class of the community in Ireland. Sir, I will be no party to any measure of reparation of hypocrisy like this. If you really wish to make to Ireland reparation for the sins committed against Ireland, at your own cost, and for yourselves, then I will go with you almost any length you please; but I will not go one step along the path you ask the House to tread, nor assist you in this travestie of justice, this cheap and mock generosity at other people's cost, which, I believe, will bring upon you nothing but the scorn of all justice-loving people in the world. And now, Sir, what should be our course to-night? Whatever may have been the case before, and I never had a doubt myself since I mastered the provisions of this Bill, the speech of the right hon. Gentleman on Monday night has made it absolutely clear. The Government are pledged to give no compensation to the landlords. They deny confiscation, and they repudiate compensation. They must expect, in consequence, from us a prolonged, determined, and a bitter opposition to the Bill. I know not whether it is to be the Bill, the whole Bill, and nothing but the Bill; but if it be not that, it is to be the very essence of the Bill which he now demands. Our fortunes as a Government, he says, and our Bill shall sink or swim together. In God's name, I say, then let them sink. I see little hope myself for Ireland except in this—that this measure and its authors should perish and be swept away together. In 12 short months they have reduced that country from a state which they themselves described as one of comfort and satisfaction, which was never known before, to the Pandemonium of to-day. For my part, I care not in the least how soon the time may come; and I am persuaded that the country, thoroughly deluded and misled by the Prime Minister at the General Election, is rapidly beginning to entertain the same opinion too. Nor do I feel quite sure that the Prime Minister himself is altogether free from foreboding of that nature. Why did he turn to the most timid of his followers behind, who are always to be found amongst the Whigs, and warn them that if, by any combination, this measure were rejected, a larger and more sweeping measure would be carried by the Opposition? What guarantee have we that if you pass this Bill to-day yourselves, you will not bring in a larger and more sweeping measure in two years' time? I recommend that, Sir, to the consideration of hon. Gentlemen who sit behind the Prime Minister to-day. Sir, the right hon. Gentleman has reminded me, with perfect truth, that I cannot claim to speak as a Representative Member of the Party on this side of the House. Were it otherwise I would meet his challenge, and reply that, in one sense, what he says is true. Ireland should have, and quickly too, if I could have my way, a measure which would be both a larger and a smaller one as well; larger in everything that would conduce to the permanent removal of the source of all her ills; but smaller, infinitely smaller, in respect of all your revolutionary schemes. Sir, I have placed an Amendment on the Paper, which expresses my own views on the question; and had it been in my power I should have pressed it to a division, and taken the sense of the House upon it. But the Forms of the House will not admit of that proceeding. I shall, therefore, give my vote in favour of whatever Amendment is put by Mr. Speaker from the Chair, in order to record my protest against the principles contained in this part of your Bill; and I am more than ever strengthened and confirmed in this intention by the deep conviction which I entertain as to the real causes of the introduction of this Bill. I challenged the reasons of the right hon. Gentleman at the beginning of my speech, and I will make good that challenge before I bring my observations to a close. I said that they could not be the real and only reasons for this Bill, because every one of these three reasons which he gave us—the land hunger, the defective nature of the Land Act of 1870, and the limited number of bad landlords—would have been just as good a reason, and possessed as much force, as an argument for the introduction of this Bill, any time you liked to mention—five years ago, three years ago, two years, or one year ago, as it has to-day; and yet, if anyone had gone to the Prime Minister 18 months ago, and told him that a Bill of this tremendous character was called for by the necessities of Ireland, he would have scouted the idea, and laughed the person who proposed or who suggested it to scorn. And he would have pointed for his answer to his remedial legislation of 10 years ago, and to the improved and contented condition of the people of Ireland. This is no mere fancy or supposition upon my part; on the contrary, it is almost exactly what the Prime Minister actually did. Let me remind the House of a most remarkable statement which he made about 14 months ago. I see it was on the 1st April, 1880; not a very inappropriate day in the light of subsequent events. He was speaking at the Liberal Club in Edinburgh in reference especially to the Act of 1870, and the condition of the people, and this is what he said—

> "The change which had been made in the Land Laws was a just change, and gave a confidence to the cultivator of the soil which he never had before, and the cultivation of Ireland had been carried on for the last eight years under the cover and shelter of the Land Laws, with a sense of security on the part of the occupier, with a feeling that he was sheltered and protected by the law, with a general sense of comfort and satisfaction such as was unknown in the previous history of the country."

I quite admit that this statement was made at a time before the right hon. Gentleman had been brought directly in contact with the latest phases of Irish agitation and obstruction in this House, and it may be while he was still under the impression that the comparative quiet maintained in Ireland since the passing of his Land Act by a succession of coercive measures which only expired last June was, in reality, owing to the beneficial effects of his previous legislation. If that was ever his impression, it must have been rudely and speedily dispelled, for the new Parliament had scarcely met when he became alive to the difficulties he had to encounter from Irish agitation and obstruction. And how did he encounter them? Concession became at once the order of the day, and sop after sop was thrown to the Party of agitation. The Peace Preservation Act was not renewed; and, in consequence, you have had—as you were warned by us you would have—to suspend the Constitution of the country. Then came the weak, the temporizing, and, as I thought and pointed out at the time, the misleading speech of the right hon. Gentleman the Chief Secretary for Ireland, in answer to the proposition of the hon. Member for Mayo (Mr. O'Connor Power) for an *ad interim* Bill, to suspend the power of eviction for two years. That was followed by the sudden announcement of the appointment of the Royal Commission to inquire into the working of the Land Act. And then came the attempt to smuggle through the House the Irish Land Act in the form of a single clause in the Relief of Distress Bill; but that was stopped by a Member of this House, who, in common with the great majority of hon. Gentlemen on both sides, naturally objected to an important measure of this kind being scrambled through the House of Commons in that way by a side wind. Then we had the Compensation for Disturbance Bill, which is still fresh in the recollection of the House. And now, after 12 months of open defiance of the law in Ireland, we have these sweeping and extravagant proposals, proposals which concede to the breakers of the law the bulk of everything they have demanded, and which differ little, if at all, as far as I can see, from those schemes of public plunder which the Prime Minister himself so unsparingly denounced, except, indeed, in this particular—that the Government give no compensation to the landlords; and which certainly was included in every scheme which has been either suggested or attributed to the hon. Member for the City of Cork (Mr. Parnell). No, Sir; let the truth be known. This Bill, whatever its merits or demerits may be, is one great measure of concession to Irish agitation; it is the triumph of violence and crime over law and order in that country. If credit there be, let the credit be given where credit is due. And much as I differ from him in his political opinions, and much as I abhor, for the most part, his views, I must say the daring and persistence of the man has met with more than its reward. For rest assured that the people know full well in Ireland to-day, what every Member of the House of Commons, in his heart and in his conscience, knows is nothing but the naked truth, that without this Irish agitation and obstruction through which we have passed, this measure never would have seen the light, and that it has been wrung, not from the long-settled conviction or the policy, but from the weakness and the fears of the Ministry, by the revolutionary policy of the hon. Member for the City of Cork. Now, I ask the House of Commons where is all this to end? Do not suppose that even if you pass this Bill to-day, unaltered as it is, you will put an end to disaffection in that country. You have surely learnt something from your experience in the past; as it was in 1870, be assured it will be in 1881. Confiscation and concession then are only followed by larger and by more extended measures in the same direction now—and the acceptance of your policy to-day will simply mean new concessions and still greater confiscations a little later on. So evil is the lesson which your weakness and your concessions will have taught them, that the ink will not be dry which makes judicial rent the law throughout the land, before a new and more determined agitation will arise from the ashes of the old one against the intolerable injustice of paying any rent at all. And all past experience will have taught them that if it only be conducted with sufficient violence and outrage, in the long run they are sure to win. And then I fear that we shall see the same humiliating spectacle again. A weak, divided, and distracted Cabinet at home, a helpless Lord Lieutenant, a paralyzed Executive, and a trembling Chief Secretary in Ireland, making more and more concessions, till at last, with what you call "the English garrison," in other words, the most loyal portion of the population driven out, you will find you will have to choose between the armed suppression of the people and the country on the one hand, and on the other the secession, either attempted or accomplished, of Ireland from England. The great statesman who has gone—to whom the Prime Minister the other night paid a tribute, the nobility of which I can assure him that we who sit on this side of the House, for the sake of the affection that we bore our Leader and our Chief, shall not easily forget, he warned you of the certain and the fatal end of the policy you then began. I ventured to remind the House of his striking prophecies so literally fulfilled in one of our debates last Session. You would not hear his words at the time when they were spoken. You only laughed and mocked when I quoted them last Session. Is it too late, even now, to heed the silent voice which warns you from his grave? Will the Liberal Party never learn wisdom from experience? Remember you have tried your hands already at Irish legislation on these disastrous principles before, and you have failed utterly and completely as never Party failed before. I read your Bill with increasing wonder and amazement every day, for I see in it a volume—aye, Sir, and a large and capacious volume—of recantations, contradictions, broken pledges, and former falsified predictions on the part of the Minister and his Colleagues, in the light of which you stand before us and before the country as a Government utterly discredited already in dealing with this question. What room, then, have we for more confidence; what hope of better or happier results in your proposals of to-day? I reluctantly confess that I have none; reluctantly, because I desire from my heart to see Ireland again tranquil, contented, and at rest; but peace and happiness, prosperity and contentment can never be attained by revolutionary schemes like these, which appeal to the avarice, the cupidity, and the worst passions of the human race in any country or in any nation on the earth. Especially do I believe that this is true of Ireland and the Irish people. Ireland, I grant you, has suffered much, and often at the hands of England. She has suffered even more, perhaps, at times, at the hands of those whom she believed to be her friends; but the worst and the most cruel blow that has ever been inflicted on her will be this—when, by the acceptance of this Bill, you teach the lawless and the disaffected, to the terror and dismay of the peaceful and well affected subjects of the Queen, that by outrages, by violence and crime, by persistent and daring defiance of the law they can wring—nay, more, they have wrung—from the Imperial Parliament the grossest and the most unhallowed Act of great public confiscations that ever yet has been attempted by any Minister or statesman in any civilized society or country in the world.

MR. GLADSTONE: Sir, I am desirous to explain a material statement in my former speech which has been misunderstood by the hon. Member for Mid Lincolnshire. It is certainly true that I hold him responsible for the Report of the Richmond Commission. I am not quite sure whether I am to understand that he approves of the paragraph in the Report on which I rely or not.

MR. CHAPLIN: I entirely repudiate the right hon. Gentleman's construction of the paragraph; but I accept the responsibility for the paragraph itself, and I wrote it.

MR. GLADSTONE: Then I wish the hon. Member to understand exactly what it is that I charge him with. I have never said that the Richmond Commission recommended the "three F's"—never. The statement of the Richmond Commission is this—that the "three F's" had been urged upon them, but that they could not be admitted in their integrity without injurious consequences to the landlords. And the "three F's," according to my contention, are not in their integrity in this Bill. I have never said that the Richmond Commission recommended in terms the establishment of a Court, for they never used the word Court. What I said was that I considered that no other construction could be given to their recommendation. The main part of my statement was this—that in the preamble of the paragraph to which I alluded in my speech, the Commissioners do refer, and exclusively, to augmentations of rent founded on the tenant's improvements, but that their recommendation is not confined to augmentations of rent founded upon the tenants' improvements, and that they advocated special legislative interference to protect the tenant from any increase of rent which is an arbitrary increase. Their recommendation, therefore, is not limited to an increase of rent founded upon a tenant's improvements.

MR. STANSFELD said, that the hon. Gentleman the Member for Mid Lincolnshire (Mr. Chaplin), his Colleague on the Richmond Commission, had made a very powerful and eloquent, but somewhat discursive speech, in which he had given his approval to emigration and migration as a means for improving the condition of Ireland. He (Mr. Stansfeld) would not follow him as to its details; but he had strongly objected to what he pleased to call the confiscation clauses of the Bill. Now, these were just the clauses in which he (Mr. Stansfeld) took the deepest interest; and he was, therefore, thankful to the hon. Member for having so unmistakably and broadly thrown down the glove with reference to that part of the Government measure. The hon. Member had defined confiscation as the taking away of the property of the landlord class without compensation; and towards the close of his remarks he had given the House to understand that, because there was no offer of compensation to the landlords in this measure, the Government must expect prolonged and even bitter opposition. He hardly recognized his hon. Friend, after his recent experience of his qualities, in the part which he had played that night. The hon. Member said of one of the clauses to which he (Mr. Stansfeld) had referred, and which practically gave fixity of tenure, that it took away the right of the landlord, and that that right, if taken away, required compensation; that it took away the right of the landlord to evict.

Mr. CHAPLIN denied having said so. The clauses took away every right, except the rights of a rent-charger; all the advantages of ownership, except the receipt of rent.

Mr. STANSFELD said, in that case, the hon. Member must mean that the right to evict would be taken away also. He (Mr. Stansfeld) called that "compensation-for-disturbance confiscation." The position assumed by the hon. Member was this—that in point, not only of law, but of justice also, the landlords of Ireland should have the right, without let or hindrance, to evict tenants who, according to the terms of the Report of the Richmond Commission, which was signed and acknowledged by the hon. Member himself, might by their labours have doubled or trebled the value of their holdings, in favour of a neighbour who would be willing to pay the increased value. The hon. Member had upon the Paper an Amendment which proposed that the House should say that—

> "While anxious to give the tenant protection against the arbitrary raising of rent on improvements made by himself, and to secure to him also whatever interest he might have justly acquired in his holding, it declined to accomplish those objects by accepting a measure which confiscated the rights and property of one class and conceded them to another."

With the proposition and opinion so expressed by the hon. Member he (Mr. Stansfeld) was at direct variance. To his mind the clauses of the Bill which the hon. Member had endeavoured to stigmatize as confiscation clauses were simply clauses intended and adapted to give the tenant protection against an arbitrary raising of his rent, and to secure to him the interest which he had justly acquired in his holding. Further, he maintained that there were no clauses in the Bill which proposed to accomplish those ends by confiscating the rights of property of the landlord and making them over to the tenant. He would go a little back, and endeavour to point out to the House what the rights were which it was proposed by the Bill to safeguard. In his view, the Bill conceded the principle of what was called the "three F's," although he was quite aware the Prime Minister had said that it did not contain the "three F's" in their integrity. [Mr. Gladstone: Hear, hear!] But, be that as it might, the fact was that they could not, under any scheme, have what were called the "three F's" without conditions or restrictions of some kind; and the practical question was, what those conditions and restrictions ought to be, and that was a question for Committee. And here he must say that his hon. Friend the Member for Mid Lincolnshire, by attaching his name to the recommendation of the Richmond Commission in favour of some system of arriving outside the will and judgment of the landlord at the notion of a fair rent, was logically bound to carry out that proposition by some concession for security of tenure, and by something in the nature of free sale. At the very fringe of the argument the supporters of the Bill were met by a fallacy. Political economy had been flaunted in their faces, and that very much by the successors of those who had not always been in love with its doctrines, and who spoke about freedom of contract as if it were some dogma of an abstract science, as to which there could be no exception, forgetting that political economy was not an abstract, but an applied science. It was applied to the conditions of human life; and in this case to the conditions of Irish life, and those persons failed to see that so far as it applied to the conditions of that life there was, as he (Mr. Stansfeld) contended, nothing unsound in the provisions of the Bill, and that the Report of the Richmond Commission had completely disposed of the notion that such a thing as freedom of contract existed between the landowning and the smaller occupying classes in Ireland. In fact, no one believed that it had ever existed. How could there, indeed, he would ask, be freedom of contract between two persons, when one of them was not free to refuse to enter into the proposed agreement? With the small Irish tenant the question was one, not of making a provident or improvident contract or bargain; it had been a question of getting on to, or keeping on, the land for the sake of home and life, the only alternatives being starvation, or emigration, or the workhouse a last resource. Was it possible to speak of free contract under such conditions? That being so, he was disposed to go further in this matter than others, and to say that the question of the relation of landlord and tenant in Ireland was not only not a question of freedom of contract, but not of contract at all. The tenants, when they got on the land, for the sake of home and life made no terms. They dealt with it as if it were their own. They had not the independence or the means to make terms like the Scotch Lowland farmer with long leases. The law made the terms for them, and it was this law, which they had discovered to be a bad law, that they now sought to amend. It was well known that in Ireland the tenants generally made the improvements and, as the Richmond Commission termed them, "the equipments" of the farm—the word "equipments" meaning, not the manuring or the draining of the land, but the building, the home and farmstead; and, in fact, they by their labour created, as it were, almost the whole value of the holding. He knew of an estate in Ireland of a nominal rental of £16,000 a-year, and 4,000 tenants paying an average rent of £4 per man. In that case, as the House could not fail to perceive, the improvements and equipments must have been made by the tenants, because it would be ruin and bankruptcy to any such estate if the landlord were to make them himself. If it were sought to establish the English relations between landlord and tenant in Ireland, the landlord of such an estate must, first of all, get rid of the 4,000 tenants. The small buildings on their holdings must be razed to the ground, and on the consolidated farms which would be created new and fitting buildings must be constructed. That, as he had said, must lead to the absolute bankruptcy of the estate whose owner entered upon such an undertaking. He undertook even to say that if the principle of the English Poor Law, which was part of the Land Law of the country, were introduced into Ireland, and administered in the same way as in England, in the case of those 4,000 tenants, the result would be a greater measure of confiscation even than that which the hon. Gentleman feared would be the result of the passing of the Bill, which had been so strongly denounced by himself and others. The law under which those pauper tenants built houses had declared them to be merely tenants from year to year, liable to be evicted at the merest caprice of the landlord, without the slightest claim to compensation. He asked whether such conditions could be regarded as relations of contract at all? They were, in his view, relations of law, and not of contract, which meant a mutual understanding and intent which did not exist in the present state of facts. What was the view of the Irish tenant himself on this subject? The view of the Irish tenant was that his interest in his holding was that of a part owner in the soil. That was the outcome of his own experience of the working of his own mind, and that was the reason also why he held that capricious eviction, or the gradual and insidious raising of rents to compel eviction, or bring about the destruction of the tenant's rights, were offences on the part of the landlord amounting to crimes; and, unfortunately, it sometimes happened that the tenants who held this view took the law into their own hands, and punished what they deemed to be offences as though they had been actually crimes in the eye of the law. Another reason which showed this relationship was taken from the other side. He (Mr. Stansfeld) was not aware that any of the good landlords in Ireland would be found to contend that landlords would not act criminally who, under all circumstances and in every case, availed themselves to the utmost of their legal rights; but confusion arose when they began to talk about contracts, and especially of contracts which, being incomplete and imperfect, raised questions of equity, as well as of law, which the Courts of Equity in this country had not always been able to enforce. It was perfectly true that explicit contracts were, as a rule, only terminable by fraud; but these exhaustive and explicit contracts were few, and when they were not exhaustive or explicit, the law stepped in and filled up the blanks. But in the law of Ireland the tenant occupying under a yearly tenancy was shut off from the operation of this rule. If the matter had only been left to the Law Courts, unhampered by the legal doctrine of yearly tenancies, they would soon have found a means of meeting the difficulty, which would have approached long ago the confiscatory scheme which had been so loudly denounced by the hon. Member for Mid Lincolnshire. He (Mr. Stansfeld) remembered years ago reading in "Jeremy Bentham," that one basis of civil right was a reasonable expectation, created in the mind of one of two parties in consequence of the action of the other. The Irish tenant had a claim on the ground of that reasonable expectation. He went upon the land, stayed upon it, spent his labour upon it, built upon it buildings which still existed; and was it not to be supposed that he had a reasonable expectation of being permitted to remain, to occupy that land subject only to a fair and reasonable rent? It had been said that the rents demanded from Irish tenants were fair and reasonable; but he thought that, taking those circumstances and history into account, it was clear that, in the majority of cases, the rents which might be charged were neither fair nor just, and that the majority of the people of the country held that view with good grounds for so doing. The existing system was one which could only continue and work on the hypothesis of mutual forbearance and mutual goodwill, and on the hypothesis of a sufficient and continuous popular assent. That assent had been withdrawn. The whole system had collapsed, and what Parliament had to do was to discover, if possible, a substitute for existing conditions of law, which should be in accordance with the facts of Irish life and the traditions and customs of the Irish people, and should also contain within itself principles of right and justice which were likely to become permanent in their character and operation. The order in which the "three F's" had been put in the Bill of the Government was not that which he should have adopted. He should have preferred that free sale had been placed last, because that would have followed as a logical sequence on fair rent, which would make it impossible for the tenant to sell more than was his own. If once they granted the principle of fair rents, they must logically accept also the principle of security of tenure, and for this reason. What was the use of setting up a Court to determine what rent a landlord should or should not be entitled to charge the tenant, if the landlord might snap his fingers at the tenant and evict him, it might be without compensation, and if he might get a higher rent which was not a fair rent by a new specific contract from a new man. If fair rent were granted as a question of logic, it followed that the measure could not stop there, and could not stop short of something like security of tenure. Then, if the tenant had made any improvements, they would be confiscated, unless free sale were conceded. Having arrived at a fair rent, the doctrine of free sale became unobjectionable so far as the landlord was concerned, because the tenant could only sell what was his own. Did hon. Gentlemen opposite object to the tenant selling his own? His hon. Friend (Mr. Chaplin) had said that the compensation for improvements would be taken out of the landlord's rent; but the hon. Gentleman failed to see that if, by some satisfactory process, they settled the fair rent, then they would give the landlords that which was the landlords', and they would not leave to the tenant even the possibility of selling that which was not his own. One objection to the Bill was that which had been raised in the course of the debate, and was based upon the amount that should be paid for tenant right. There was great misconception on this matter. It had been argued that part of this tenant right belonged to the landlord; but he (Mr. Stansfeld) had failed to see it. The new tenant gave to the landlord all that belonged to him. It had been also said that in some cases this tenant right might reach a very large sum, and the hon. Gentleman spoke of a monstrous case in which 60 years' purchase of the rent was given for the tenant right. But he could quite understand how that was. The facts, he maintained, proved nothing either as to the justice or the unreasonableness of that transaction or of that price. As an illustration of this, he might mention that he saw last autumn, when driving in a certain part of the neighbourhood of Londonderry, a holding on the roadside, about a couple of acres in extent. The rent was £1 a-year, which was about the original value of the land; but the tenant right was £150. It was easy to see how that value had accrued; for, in the course of generations, successive tenants had built a homestead and outbuildings of a comfortable and superior order; and he undertook to say that anybody wanting a house of that kind in the neighbourhood of Londonderry would make a prudent investment if he paid £150 for the tenant right of that holding. That would be no less than 150 years' purchase of the rent, and yet it would be a prudent investment on the part of the incoming tenant, whilst taking nothing from the landlord and securing his rent. It was sometimes said that if we interfered to determine a fair rent, we must also interfere to determine a fair price for the tenant right; but he could see no analogy between the two cases, for the tenant could not enter into a free contract with his landlord, while the incoming tenant and the outgoing tenant could. The tenant must pay or go; he had no choice. In the case of the purchasers of tenant right, however, he would say, *Caveat emptor*. Landlords in Ulster had tried to limit the price to be paid for a farm; but they could not accomplish any such object; for if the incoming and outgoing tenants agreed between themselves, and if the incoming tenant was desirous to carry out his bargain, no clause which the ingenuity of lawyers could draw would prevent him from paying the outgoing tenant the balance for the tenant right which the law might declare to be illegal. Coming now to the Bill itself, he wanted to say why, in his opinion, it conceded the "three F's." He was not going to say it conceded them all in the same way. The 1st clause conceded free sale, the 7th clause gave fair rent with renewal at periods of 15 years; so that, in principle, the whole of the "three F's" were recognized. If the measure had not done that after the study he had given to the question, it should never have had his support. He desired now to say a word or two on the 3rd sub-section of the 7th clause, by which the Court was directed in fixing the rent to bear in mind the tenant's interest in reference to certain considerations, and amongst those considerations was specifically mentioned the tenant's right to compensation for disturbance. A great many interpretations had been placed on that clause, and it might seem rather presumptuous for him to express his opinion upon it; but he had a definite notion on the subject which he desired to express. The direction to the Land Court was very like that given to Assessment Committees in this country, which, in ascertaining the gross annual value of hereditaments for the purpose of rates, were called upon to determine the rent one year with another that a hypothetical solvent tenant would be expected to pay. Now, the Court, having arrived at the hypothetical rent, would find itself confronted with the fact that attached to the tenancy was a condition created by law in favour of the tenant which would enhance its value, and which would, therefore, if taken into account, raise the *primâ facie* hypothetical rent; and the object of the 3rd sub-section was to direct that the tenant should not be called upon to pay, in the shape of an enhanced rent, for the right which the law had given him to compensation for eviction. The interpretation of the right hon. and learned Gentleman the Member for Dublin University (Mr. Gibson) was impossible, and would lead to the absurd. First of all, he assumed that the Court might deduct the value of the compensation from the capitalized hypothetical rent; but he forgot that compensation was a contingency, and that if they were to deduct anything it could only be the value of that contingency. Secondly, the right hon. and learned Gentleman argued that some deduction would be made from the hypothetical rent on the ground of the tenant's right to compensation for disturbance; but it was evident that no such deduction could be made at all, for it would be unreasonable and unjust to lower the hypothetical rent on account of an obligation imposed by law upon the landlord to the benefit of the tenant. Lastly, his construction would lead to the absurd; for the tenant might apply "from time to time"—that is, every 15 years—to the Court to fix a fair rent, and each time, the right to compensation for eviction still remaining, there would be precisely the same reasons as at first—which, as he had endeavoured to show, were no reasons—for lowering the rent on that account; so that, as a consequence of the view of the right hon. and learned Gentleman, it would eventuate in the landlord's rent being reduced and reduced until it was extinguished altogether, and could be reduced no more. His object in these remarks had been to argue that the scheme known as the "three F's" was one which was economically sound, which was equitable, which was politic, and which was just. He would say, further, that it was urgently necessary. Let them not deceive themselves about Ireland. That country seemed to him to resemble, in some respects, the dead level of a vast sea, which was easily moved by storms. Her population was agricultural, and consisted, to a great extent, of small occupiers. There was no peasant proprietary; no variety of classes; no variety of interests; nothing standing up above the dead level that so to say could break or divert the rising tide of popular opinion, passion, or prejudice, in that country. What swayed the poor Irish tenants and their belongings swayed Ireland, and the minds of the tenants were passionately moved upon this question now. If he could believe that the Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho), or the proposed Amendment of his hon. Friend opposite (Mr. Chaplin), were the last words of the Conservative Party on this subject—if he could imagine the rejection of the Bill in "another place," a consequent Dissolution, and the return to that House of a Conservative majority—he said in the deepest and sincerest conviction, without the slightest consciousness of exaggeration, that to his mind these alternatives would stare that Government in the face—either a measure utterly inconsistent with these Amendments which they had placed before the House, or martial law, or civil war. In the face of these alternatives, he persisted in believing, in spite of the protests of his hon. Friends opposite, that these Amendments were not their last words; and he would persist, until he was finally deceived, in the hope and the conviction that they would regard this measure as something which was necessary, something which was inevitable, something which was required in the interests of the country at large; and he had the profoundest conviction that, if they did so, the day would never arrive when they would have cause to repent—that they had sacrificed preconceived opinions to public exigencies and the public good.

MR. MACARTNEY had listened with great attention to most of the speeches which had been made during this debate, and he had also studied with as much attention as possible the Amendments which had been put upon the Paper; but what surprised him was that, although the Bill had been denounced in the most unmeasured terms by those who disapproved of it, he had not heard anyone declare his intention to vote against the second reading. Those who opposed the Bill did not really seem inclined to dispute its principle. The principle of the Bill had been accurately described by the right hon. Gentleman who last spoke as based on the "three F's;" and he believed it was because those "three F's" had been advocated at all the meetings throughout Ireland, from the extreme North to the extreme South, that this measure had been framed as it was. There was no real fixity of tenure—absolute fixity of tenure could scarcely be given—but the other two principles, free sale and fair rent, were certainly included in the Bill. He had had the honour of introducing certain Bills on this subject, some of which had come to grief, others of which had been read the second time. He had acted with the late Mr. Sharman Crawford and others to establish the Ulster Custom universally in Ireland. Now, this Bill did not carry out that principle, because he did not see in it that holdings which had not been proved to be under the custom of Ulster were to be presumed to be under that custom; but, although that was not contained in the Bill, the holders got another compensation in the right of free sale independent of the Ulster Custom. The crucial question in this Bill was that of fair rent; and he thought the 3rd section of the 7th clause might be understood in the sense the right hon. Gentleman who last spoke had assigned to it, so that, if a tenant came before a Court asking fair rent, the Court, taking into consideration the Ulster Custom and compensation for disturbance, might be likely to look on these two rights as improvements of the tenant's holding, and, therefore, not to be deducted from his rent; but, although such might be the intention, it was most obscurely expressed. It was important, particularly in a matter where they wished to avoid litigation, that the clause should be so drawn that it would not require 25 or 30 lawyers to explain it. So many Members had understood the clause in different and opposite senses that it was clear it would be open to legal gentlemen to find different meanings for it. They must also remember that the questions would be heard before the County Courts, or the Land Courts of the county, of which there were nearly 40, and in many instances it had been found the Judges took very different views. Therefore, he should like this clause to be made perfectly clear, because then he would have no objection to it; but if it was not made clear he would be strongly opposed to it. It was not the fault of the landlords in the North of Ireland if the tenants had not leases. On a great many estates there used to be leases for 61 and 80 years. It could not be contended that at the expiration of such leases the tenants should not be subject to an increase of rent. On a property with which he was connected the tenants were offered leases at the close of last century; but they refused, saying, if they took leases they would be tied, and they preferred the tenant right of Ulster. It had been said that throughout Ireland the improvements had been invariably made by the tenants. He had heard that statement often; but such was not the case. Many tenants had reclaimed lands in Ireland, and had been allowed to go into occupation for a number of years at a nominal rent, at the end of which they were to pay a real rent; but the statement that all improvements were made by the tenants was false. Before the Land Act of 1870 it was also the custom on many estates to give timber and slates for buildings to be erected, and also to contribute to other outlay. Assistance was also given to tenants in draining, fencing, and in straightening fences. But that outlay on the part of the landlord ceased with the Act of 1870, which assumed that the improvements were made by the tenant, so that it was no longer the landlord's interest to have anything to do with the matter. With regard to free sale, it had been practised in the North of Ireland on the best managed estates from time immemorial, and where it existed it was found that the property was most flourishing, the tenants were most prosperous, and the rents most secure. It was not, therefore, correct to say that free sale put a limit on the landlord's rent where the rent was a just one. It would also be wrong to make tenant right a reason for reducing the rent; and if the Government wished the Bill to become satisfactory and to see it pass, they must make this and other points perfectly clear. He did not agree with hon. Gentlemen on that (the Opposition) side that the Bill should be scouted, and that it would be as well that the Ministry should fall with it. Ireland was in a very serious condition. Irishmen, such as he and those who thought with him — though some might, perhaps, deny them that name—felt there was something so serious in the condition of the country that it required a very serious remedy. They were anxious to see the tenants secured, all reason for dispute removed, and unjust men prevented from arbitrarily and unfairly increasing rent. At the same time, they were anxious to see their own fair rents maintained, to keep their good tenants, and to live on good terms with them. The whole of Ireland was not revolutionary; but it might become so if measures calculated to do good were refused. There were, of course, many matters in the Bill which required amendment. He considered, for instance, that the reference to the Courts should be simplified. By Section 3 of the 7th clause a fair rent was defined to be—

> "Such a rent as in the opinion of the Court, after considering all the circumstances of the case, holding, and district, a solvent tenant would pay one year with another."

That, surely, covered everything. Tenant right was a circumstance of the holding, so was compensation for disturbance. In the Act of 1870 there was a provision that in any newly-created holding the county cess or county rate should be equally divided between landlord and tenant. They had hitherto been paid by the tenant, and that was always considered in letting the land. He took it that where a fair rent was fixed the holding ought to be held to be a new one. [The Attorney General for Ireland (Mr. Law) dissented.] The right hon. and learned Gentleman shook his head. Well, that was just one of the points he wished to have made plain. If the tenant went into Court and required to have his rent fixed, and the rent was altered, either by being raised or lowered—when the tenant, instead of holding from year to year, would hold for the statutory limit of 15 years, assuredly that was a new holding. They were the same parties, but it was a new holding. The right hon. and learned Gentleman still shook his head; but he must still adhere to the opinion he had just expressed. As to arrears of rent, how were these to be treated? Were these to be taken into consideration by the Court, and was any arrangement to be made whereby a tenant on applying to the Court should be bound to lodge a proportion of the rent due? If that was not done a man who owed four or five years' rent and obstinately refused to pay a halfpenny to the landlord might come into Court merely for the sake of another year's delay. The Prime Minister had passed a great eulogium on the County Court Judges, and said he did not understand why they did not possess the confidence of the people, and yet he said the Government intended to give them the go-by, and allow the tenant to go direct to the Superior Court. There did not appear to be any such intention in the Bill, and he could not help thinking that it was an afterthought of the Prime Minister. He did not think it would be a wise move that the tenant should be able to go direct to the Superior Court, for it would entail great delay and expense. He hoped the measure might be so improved in Committee as to become satisfactory both to landlords and tenants. There had been, and would be, some sacrifices on the part of the landlord. They were unavoidable in the circumstances. But he believed the Bill could be made perfectly fair to all parties; and, therefore, he would oppose all Amendments to the Motion and vote for the second reading.

Mr. A. MOORE said, they had listened to a great deal of eloquent denunciation of the Bill by the hon. Member for Mid Lincolnshire (Mr. Chaplin); but they did not receive from that hon. Gentleman any outline of a proposition for the solution of their difficulties. The Bill before the House they on that (the Ministerial) side supported as a great measure of expediency put forward in a spirit of conciliation. It was all very well for any hon. Gentleman to raise the cry of confiscation; but that was not the view of the measure taken by men who were large landowners in Ireland. Lord Lifford, a Member of the Conservative Party, had signified his intention to support the Bill, so had Lord Monteagle and Lord Bessborough, the President of the Land Commission; and Mr. Bagwell, the son of his hon. Predecessor, went so far as absolutely to put before the Commission a short Bill based upon the "three F's," an outline of the measure now before the House. These gentlemen were judges of their own interests, and were as capable of forming an opinion on the Bill as the hon. Member for Mid Lincolnshire, or other hon. Gentlemen on the same side of the House. A great deal of the opposition to the measure was founded on the dislike of hon. Gentlemen to the principle of free sale. That was a point upon which he felt perfectly easy. Free sale permeated the social life of the country in every direction, and it was an absolute necessity to legislate on that principle. Free sale was sometimes permitted—he was speaking of non-tenant right counties. Then, again, they found it permitted only with certain restrictions. But, whether permitted or restricted, money secretly passed. Very often it was in the case of a marriage, a farm was to be given up when the father and mother got sufficient to enable them to hand over the land. A valuable consideration passed in that case, which it was as necessary to protect as if the money were given in open sale. Nor could the landlord prevent it. The real and unassailable argument in favour of free sale was that it was customary even now. The evidence of the administrator of all the estates under the control of the Court of Chancery showed that it was the common practice in all parts of the country, in the South as well as in the North. In many cases the goodwill of the tenancy had been sold for more than the fee simple of the land; in fact, the considerations given for tenancies were so valuable that it was necessary to legislate for them in one direction or another—either to prohibit or to legalize them. He need not advocate the latter course; his own view was that the tenant's goodwill consisted in a sort of proprietary interest in his land, an interest that no Irish landlord could wholly ignore. When free sale and virtual fixity of tenure had created for a tenant a tangible interest in his holding, the necessity for fair rents naturally followed. The clauses relating to fair rents certainly formed a cardinal part of the Bill, and ought not, therefore, to be open to the charge of obscurity; but, in spite of all that had been said on that point, he believed that all that was intended was that, in fixing a fair rent, the tenant's interest should be borne in mind. A great deal had been said about confiscation, and the hon. Member for Mid Lincolnshire had prohesied that, after the Bill passed, the landlords would become absentees, and would lose all interest in their estates. But the Ulster landlords had not done so, and as for confiscation, though he owned that he had his doubts as to the working of the Bill, he thought that its general effect would be to increase rather than to diminish the value of estates all over Ireland. Tenant right was a guarantee for arrears of rent, and made it to the interest of an outgoing tenant to leave his farm in good condition; in short, it was, so to speak, the reserve fund of landed property. There were two matters with which the Bill ought to deal—namely, leases, which were often most tyrannical, and the large sum, estimated at £16,000,000, belonging to the Irish farmers, and lying almost idle in the bank at 1 per cent. The farmers would be glad enough to get 2 per cent for their money on Government security, and he should like to see them subscribe to a fund which would enable them to buy their own farms. Next, with regard to the very important subject of overcrowding, he could only say that in many districts, particularly on the Western seaboard, the evil was so great that free sale and fixity of tenure would be all but worthless, unless steps were taken to diminish the excessive density of population. This Bill would fall short of what was required unless means were adopted to provide for this teeming population who were in a chronic state of semi-starvation. The Irish, he might observe, were a sentimental people, and there lurked in their minds a suspicion that the plan of emigration was, in reality, a project to exterminate them. He could well understand the hesitation and difficulty which a Prime Minister must feel in regard to undertaking large public works; but he would suggest that that scheme should have a fair trial, and that the Commissioners should receive a limited amount of funds and be strictly tied down in its expenditure, so that they might not incur any risk. A scheme had been tried with success on the property of Mr. Crosbie, the well-known shorthorn breeder, of Kerry, and also on the property of Captain Kennedy.

MR. SPEAKER, interposing, remarked, that the House was now engaged in discussing the second reading of the Bill, and reminded the hon. Member that he was going into minute details on points which could be more properly discussed in Committee.

MR. A. MOORE said, he would content himself with saying that the overcrowded districts to which he referred had special claims to the consideration of the Legislature. He thought it was the duty of every Irish Member to vote for this Bill. There might be points of which some of them were not much enamoured; but, on the whole, it was a measure of necessity and of expediency. The hon. Member for the City of Cork (Mr. Parnell) had stated that he was about to abstain from voting for the second reading; but he had also announced in a published letter that he would not abstain were it not certain that he should not thereby endanger the passing of the Bill. For his own part, he ventured to think that abstention on an occasion like this was a course unworthy of, and, indeed, impossible, for any serious politician. In such a crisis of Irish history, it was the duty of every man to say distinctly whether he was in favour of the Bill or not. He could not bring himself to believe that the hon. Member for the City of Cork wished to expose Ireland to another winter such as she had lately passed through; and he hoped the hon. Gentleman would show his patriotism by helping them to make this a good measure, and would exert his great influence in inducing his countrymen to accept it as such.

MR. CLOSE said, that, as an Ulster man, he should support the second reading of the Bill. There was a happy unanimity of opinion, not only throughout the country, but among hon. Members on both sides of the House, as to the absolute necessity of legislation on this subject. He could not shut his eyes to the fact that a postponement of legislation on this question beyond the present Session would work most fatal injury to the peace of Ireland. He was therefore ready to co-operate in a fair, honest, and impartial spirit in passing this measure. But, while voting for the Bill at its present stage, he reserved to himself full liberty to discuss, and if possible amend, its provisions in Committee. He heartily supported, for instance, the emigration and the reclamation clauses; but there were other portions of the Bill which he as heartily disapproved. There were complications and obscurities in the Bill which he believed, if not cleared up, would tend to litigation and a perpetual disturbance of the harmony which should exist between landlord and tenant. He considered it especially desirable that a system of fixing fair rents should be established, as, from personal experience in Ireland, he knew that was one of the points most sought for by the tenants. He therefore hoped that the obscure clauses which the Prime Minister had attempted to explain would be rendered intelligible, and the Bill, as a whole, cast into a form which would render it acceptable to the House generally, and beneficial to the country.

SIR WALTER B. BARTTELOT wished to remind the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), who had menaced the House with an outbreak of civil war in Ireland if the Bill did not pass, that civil war did at the present moment prevail in Ireland. Blood had been shed that very day, and there were constant collisions between the authorities and the people. Ireland, in fact, was in a more dangerous condition than she had been at any previous period during the present century, notwithstanding that the Government was armed with exceptional powers. And why was Ireland in that condition? Because the Government had shilly-shallied with the land agitation, the danger of which they perceived so long ago as last autumn. And in the face of such a state of things in Ireland they were asked to pass an ameliorating, kindly measure such as had never before been introduced into that House. The Prime Minister had declared that confiscation did not exist within the four corners of the Bill. But if confiscation did not exist, what became of the statements of the right hon. Gentleman himself in 1870, and of other right hon. Gentlemen sitting on the Treasury Bench, who declared to be dangerous that which the Bill now actually proposed? The House had a right to ask those right hon. Gentlemen what had occurred since 1870 to change the opinions they then so solemnly expressed. It was a significant fact that when a Liberal Ministry came into power Coercion Acts should have to be used for Ireland, and concessions made which, in other circumstances, would never have been entertained. Parliament, so to speak, was called upon at the point of the bayonet to pass a measure which it was perfectly well aware confiscated the property of the Irish landlords. He knew of an estate on which, since 1854, the landlord had borne the whole cost of the improvements, and now the right hon. Gentleman proposed to give the tenant the right of selling those improvements. If that was not confiscation he did not know what was. Upon that same estate, he might mention, the landlord, on coming into possession, found no less that 11,000 tenants; but, foreseeing that with a failure of the potato crop these unfortunate people would be reduced to starvation, he organized a scheme of emigration for the surplus population on his land, and provided the remainder with proper dwellings in place of the hovels which they had been occupying. Such landlords as that—men who had been good landlords and done their duty to the best of their ability—ought not, he contended, to be brought under the hard-and-fast provisions of the Bill. The case he had mentioned was not exceptional; he knew many others like it, with the details of which, however, he would not trouble the House. He was in Ireland during the first Famine. He was quartered all over Ireland. He was quartered in the North and the South, the East and the West. He had ample opportunity of knowing the state of Ireland at that time, and he believed that a precisely similar state of things existed at present in the Western portions of the country, and he was convinced that some scheme of emigration was an absolute necessity. If that was not done the sore would fester and would remain open for the agitators. He hoped, therefore, the Bill, if it became an Act of Parliament, would contain provisions by which those living in the Western parts of Ireland might be removed, either by means of migration or emigration. He should like, also, to see the number of tenant proprietors increased; but the clauses dealing with that point were so vague that he ventured to say they would not work efficiently. As to the reclamation of waste lands, no one who knew Ireland would deny that much might be done in that way, and he was sure no one on either side of the House would grudge the money which it might be found necessary to expend in order to carry out that object. In reference to manufactures, he might observe that he had seen in Waterford two mills which were doing a fair business, and he could state of his own knowledge that in that locality where those mills were situated the people were being taught habits of industry. Such undertakings ought in every way, he thought, to be encouraged as affording the best safeguards for the honest employment of a too numerous agricultural population. But now he came to the main provisions of the Bill, and with regard to them he had no hesitation in saying that they were such that ought never to receive the assent of the House. Taking the 1st, 3rd, 4th, 7th, and 13th clauses together, it was clear that they contained the principle of fixity of tenure pure and simple, for a landlord, once having put a tenant into possession of one of his farms, could never get rid of that tenant, hampered as he would be by penalties of every kind if this Bill became law. Then why, he would ask, if the rent was a fair rent, and had not been raised for a period of 15 years, was the landlord to be dragged into Court? Surely the landlord ought also to have equal power to take his tenant into Court, and show that his rent was just and moderate. On that point he thought the proposal of the hon. and learned Member for Antrim (Mr. Macnaghten), with which the Prime Minister found fault, a most admirable one, tending, as it would, to prevent litigation and to save expense, both to landlord and tenant. The right hon. Gentleman, in the course of his speech, referred to the estate of a noble Lord, against whom he had nothing to say, because he believed him to be a most honourable and amiable man, and, for one who might be called an absentee landlord, a very good one. But then that noble Lord seldom or never went near his estates; and yet such was the man who, in 1881, was held up by the right hon. Gentleman as a model landlord, and not the men who lived on their estates, who spent their money in the country, and who had been held up as models in 1870. Their system was now said to be exotic, and not in accordance with the views and wishes of Irish tenants. Nothing, he might add, could, in his opinion, justify such an expulsion of landlords as that proposed by the Bill, and which the speech of the right hon. Gentleman evidently showed that he contemplated. The Bill must, he maintained, fail, because it sought to set class against class, and would tend to perpetuate litigation of the most unhappy kind. The present tenant was the only man who would be benefited by the right of free sale. The Bill would have the effect of making Ireland poor; and for those reasons, and because he believed it would be mischievous in practice as well as unwise in policy and unjust in principle, he should vote against the second reading.

Mr. D. O'CONOR said, it was clear, from the speeches which had been made from the Benches opposite, that the Bill was not regarded with much favour in that quarter. He was greatly astonished to hear the noble Lord the Member for North Leicestershire (Lord John Manners) urge the development of the industrial resources of Ireland, the establishment of piers, harbours, railways, &c. He did not think he ever before heard those views put forward by the Party opposite, although he had frequently heard them advocated by the hon. Member for Galway County (Mr. Mitchell Henry), who had given Notice of a Motion on the subject this Session. The noble Lord said that last year he supported a measure for the development of fisheries in Ireland; but he did not tell them what the Party opposite did, when they were in Office, for Ireland. He was not surprised at the action of the noble Lord the Member for Haddingtonshire (Lord Elcho) and the Amendment which he had proposed. The noble Lord remained true to-day to the opinions he expressed years ago on the Land Question, because he had denounced every possible concession to Ireland. He asked the noble Lord to point out on what occasions concessions were ever made to Ireland, either at the time or in the manner in which the people of Ireland had demanded them. The concessions that had been made were either granted too late, or they had been spoiled in the granting by the introduction of principles which rendered them utterly unsuitable for the country for which they were intended. He admitted that never in the history of Ireland had there been a greater concession than the Land Act of 1870; but it possessed two defects—it did not establish a tribunal to prevent an arbitrary increase of rent, and it contained nothing in the shape of fixity of tenure. Attempts were made by Irish Members at different times to get those defects remedied; but during the whole time the Party of the noble Lord were in Office they carried out the policy recommended by the noble Lord the Member for Haddingtonshire with regard to Ireland—namely, no concession; they told the Irish Members that the Act of 1870 was a final settlement of the Irish Land Question. The result of the policy of no concession to Ireland was the establishment of the Land League. The House was told that the present Government, in a few months after they acceded to power, turned everything upside down. The fact was that the Land League was in existence, and as well organized in the West of Ireland as it was now, during the last year the Party opposite were in Office. He looked upon this Bill as an attempt to remedy the defects of the Act of 1870 with reference to fair rent and fixity of tenure. In so far as it did that, it was a good Bill, and would be successful; in so far as it failed to do that, in so far it would be a failure. With reference to the question of fair rent, the Prime Minister showed clearly it was the intention of the Bill to give fair rent—in fact, the principal objection to the Bill was that it made the rent unduly fair to the tenant, and almost ruinous to the landlord; but, considering that in the House of Commons landlords were powerful, and in the other House of Parliament predominant, it was natural to expect that the Bill would not be passed in a shape that was unfair to landlords. With regard to fixity of tenure, there was no question that the Bill gave fixity of tenure for the first 15 years; but what was to be the position of the tenant at the end of that period? In the event of the landlord not wishing to go on with another term, would he be able to resume possession, and simply give the tenant compensation under the disturbance clauses? If so, then the value of that part of the measure differed from that which he originally set upon it. However, fair rents, with a certain fixity of 15 years, and with, he trusted, a power of renewing it afterwards, would form a substantial boon to the tenant, and he was not prepared to reject that boon when offered as it was by the Government. As to the fifth part of the Bill, relating to the creation of a peasant proprietary or an occupying ownership, he had always held that that was the real solution of the Irish difficulty. The real cause of the present agitation in Ireland was the fact that the great bulk of the people saw that the landowners were a very small fraction of the community, and differing in class, in feelings, and opinions from the vast majority of the nation. That had led to the bad feeling which existed in many places between landlord and tenant, and what the country required was a large increase in the number of occupying owners. Therefore, he cordially approved of the principle of that part of the Bill, although he was afraid that in practice that portion of the measure would have little effect for a very long time. A very considerable interval would elapse before many persons could take advantage of those particular provisions. In conclusion, he might add that, having been returned at the last Election pledged to the principles of fixity of tenure, fair rents, and free sale, he could not throw any obstacle in the way of the passing of that Bill, which, whatever might be said of it, went a long way to secure those three things to the tenant.

Mr. PARNELL: Sir, I am sorry that I cannot join with the hon. Gentleman the junior Member for the County of Sligo (Mr. D. O'Conor), in taking any part in the division upon the present stage of the Bill, and I will endeavour to explain to the House my reasons for my abstention. It has been truly said that the debate upon this measure up to the present has been very much a debate upon its details and not upon its principle. In fact, it appears to me that the Gentlemen who have been instrumental in moving the present Amendment do not so much find fault with the principle of the Bill as they show a desire to fritter away the details in Committee, so as to render it still more worthless to the Irish tenant than in its present form. I shall step out of the line which the debate has taken, and say why I cannot approve of the Bill, and try to show my reasons why I think that principle is a defective one. It is supposed by many people in Ireland that this Bill introduces some new principle. Now, I venture to think that this Bill introduces no new principle, that it proposes to restore nothing to the Irish tenant besides that which the Act of 1870 proposed to restore, for I look upon the Bill, not as a measure that gives anything, but as a measure of restitution. Now, Sir, the principle of the Bill, I think, is identical with the Act of 1870, inasmuch as it proposes to establish a partnership in the land between landlord and tenant. It is true that for a very long time even the authors of the Land Act of 1870 refused to admit that any property was conferred upon the tenant by that Act, or that any partnership was proposed to be established. So late as last Session, during the debates on the Compensation for Disturbance Bill, the right hon. Gentleman the Chief Secretary for Ireland was with the greatest possible difficulty induced to admit that the Land Act of 1870 did confer "some kind of interest"—these were his words—he would not say property upon the Irish tenant. But we now have the Government coming forward and admitting that the Act of 1870 did confer a property upon the Irish tenant in the shape of tenant right in the North of Ireland, and in the shape of compensation for disturbance and improvements provided in the scale under that Act. Now, the only difference to my mind between the first main portion of this Bill and the Act of 1870 is that this Bill seeks to carry out the principle of the Act of 1870 in a different way from that provided by that Act. The Act of 1870, as I have said, did really intend to confer a property upon the Irish tenant. It really proposed to do so; but it failed to protect that property. It proposed to protect it by fining the landlord for evicting his tenants to the amount of value of property that was so conferred; but it was found during the practice and the experience of the 10 years we have had with that Act that this system of fining the landlords failed to protect the tenant in that property. Now, I venture to assert, though I hope otherwise, that the system of establishing a Court to fix fair rent will also fail in protecting even the small property acknowledged to belong to the tenant by the Act of 1870. We have had a great many calculations as to the amount of property handed over to the Irish tenant. We were told by high authorities that £80,000,000 or £90,000,000 were to be handed over by that Act; but we have a very easy means of estimating the amount of money property of value actually transferred by a Return which was quoted by the hon. Member for Galway (Mr. T. P. O'Connor) the other evening. From that Return it appears that the compensations which have been given by the County Courts in operation under that Act during the four or five years' time over which the Return extended to the tenants in claims, both for compensation for disturbance and improvements, only amounted to £27 each. We thus find that instead of £80,000,000 or £90,000,000 handed over to tenants by this Act, a sum which is only an exceedingly small fraction of that amount was actually transferred, and this only after expensive litigation before the County Courts, and sometimes before the Supreme Courts. Now, in estimating the benefits which this Act was to confer upon the Irish tenants, we must bear in mind that the property which this Bill proposes to acknowledge to the tenant is only that which the Act of 1870 proposed to acknowledge—nothing more. The only difference is that it proposes to protect it in a different way, and this is the great boon which is being held up to the Irish people as the reward for all their miseries during the last two years, and for all the sacrifices they have made. It simply means that an additional value to the amount of £27 is to be handed over to these unfortunate tenants, and this is only to be had at the cost of a lawsuit. The tenant is not afforded the simple means of even knowing what his right is, except by tedious and expensive litigation. Every step in this litigation may be contested by the rich, powerful, and educated landlord opposed to him for the time. We have then, on the one side, the poor Irish tenant, without education, without means, and, until very recently, without the power of organization and combination, pitted against a class of men who have constantly shown themselves to be the most able defenders of their rights that have existed in almost any country. But we have also the authority of the authors of the Bill as to the extent of this benefit to the Irish tenants. We have, in addition, the declaration of the principal Ministers of the Crown. We have first of all the declaration of the Prime Minister, in introducing the Bill, that the landlords, as a rule, have stood their trial well, and he said he did not propose to interfere with them as a body, and that this Bill would not interfere with the rents of the landlords as a body. [MR. GLADSTONE: Except in the case of the payment of excessive rent.] Just so; in other words, that he did not believe that the rents of the majority of Irish landlords would be in any way reduced. We have also the statement of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant to the same effect. He stated that he believed that a very small minority of Irish landlords would be affected in any way by the measure. We have also the statement of the right hon. Gentleman the Chancellor of the Duchy of Lancaster the other night, when he said that the Bill would not reduce the rents of more than one-tenth out of the whole body of Irish landlords; and certainly if I am entitled to assume—and anybody can predict what would be the result of the work of this complicated measure—I am entitled to assume that the three right hon. Gentlemen who are responsible for this measure know more about its probable working than any other Member. I now ask the hon. Member for the County of Cork (Mr. Shaw), who is doing so much to lubricate the larynx of the Irish people in order to induce them to swallow this Bill, amended or unamended, as best they can, I ask him whether he considers anything but a very large and general reduction of rent in Ireland will be or ought to be satisfactory to the Irish tenants? The House will be good enough to recollect what the situation is. There have been three years of unexampled agricultural depression—an almost total failure of crops, when foreign competition has come into play in a most unusual and unheard-of fashion. We have compelled the Irish landlords to reduce their rents during the last two years; the English landlords have reduced their rents of their own accord, because they were wise in their generation; but the Irish landlords allowed the question of the reduction of rent to be made a *casus belli* between themselves and their tenants, and have produced an agitation of which, I believe, none of us have yet seen the end. Well, the right hon. Gentleman comes forward with his voice and says that as regards the bulk of the Irish landlords their rents will not be in any way reduced. I ask the hon. Member for the County of Cork how he can conscientiously recommend a measure of this kind to the Irish people as a satisfactory settlement of this great question while he hears these statements from three right hon. Gentlemen of such authority? We have been accused of being desirous of keeping up the agitation. For my part, I think the accusation would fit very much better upon Her Majesty's Government. I know of no better way for keeping alive the agitation than by supplying half remedies for admitted grievances. We desire this question to be settled now once for all, and it is because we have every reason to believe that this measure will fail in affording the satisfactory and final settlement that we refuse to allow ourselves to be compromised, and allow the claims of the Irish tenants to be compromised, by the flat and full acceptance of the Bill which the Prime Minister so much desires. Let it not be supposed that because we live in Ireland we desire to keep our country in a state of agitation. Can it be supposed that we, who have some cause for desiring the interests of our country to prosper and that it should return to quietness, should gain more by the continuance of Irish grievances—grievances to be redressed by Liberal Ministries—grievances out of which they may gain Party victories on election hustings, without which it is much to be feared that Liberal Ministries would sometimes find their occupation entirely gone. I know of no period within a great many years when the Irish Question has not been adopted by the Liberal Ministry when this question has not been carefully fostered and cherished, and a sufficient instalment of justice given for the purpose of keeping it alive; and I, as an Irishman, protest against the present Government losing this opportunity, an opportunity which they may never have again, of closing this question, and certainly it will not be my fault, so far as anything I can say or do, if they lose it. Now, Sir, the attempt to establish a partnership between the landlord and tenant, between idleness and industry, is to be renewed by the Government, after they have failed in their attempt of 1870 to establish it; and the miserable restitution of £27, upon the average, is to be offered to each Irish tenant as his share in the soil of his native land. This miserable dole is to be again foisted off upon him by a Liberal Government as his reward, and as his share in the exertions which he has made, and which his predecessors have made for many generations in improvement and reclaiming the soil of Ireland. Recollect that the tenants have done everything, and that the landlord has hardly done anything. We were told the other day of the magnificent sum of £3,500,000 sterling which the Irish landlords had spent upon improvements since 1841. But it was out of the tenant's pocket. It ought to be remembered that all that money has been borrowed from the Board of Works, and that both principal and interest have been repaid by the tenants in the shape of added rent. But that £3,500,000 very accurately represents the so-called exertions of the landlords, and it came out of the pockets of the tenants. It has been exceedingly easy for landlords to borrow money; they can do so much more easily than landlords in England. Now, the annual income from land in Ireland was £17,000,000 or £18,000,000, and the Irish landlords only pretended to have spent £3,500,000. They have had the land of their country absolutely under their control. No foreign despot ever wielded more power over the good of the people and over the resources of the country than the Irish landlords, and they have left us in an appalling and miserable state. Ireland is the worst cultivated and worst formed and the most miserable country on the face of the earth. Evidence of this is to be seen on every hand; yet because we have asked that the land, which has been the absolute property of this privileged class for so many centuries, and which they so shamefully neglected, should be transferred to the only people that have ever done anything to improve it, we are to be charged with being revolutionists, and with a desire to confiscate. We do not desire to confiscate anything. The Land League doctrine is that any attempt to reconcile the respective interests of the landlord and tenant is impossible. It is time, after the Prime Minister has made an ineffectual attempt to deal with the question, and when he is entering upon another attempt which we fear will also prove ineffectual, it is time that the doctrine we preach should be thoroughly examined, and that it should be entertained with a little more tenderness and regard for the just claims of the Irish people. How has the Land League proposed that the existing system in Ireland should be put an end to? We have never asked for the expropriation of the landlords. ["Oh, oh!"] And the hon. Member for the County of Galway, who is the chief propagator of that delusion, is taking upon himself a grave responsibility when he holds out such an agreeable prospect to the Irish landlords. The members of the Land League do not think the property of the landlords has yet touched bottom, and are of opinion that they should not be caught out until more is known of the change which American importations are likely to produce. But the League has undoubtedly recommended compulsory expropriation, though not for all landlords. We have recommended that power should be given to a Commission to expropriate compulsorily those landlords who may be acting as centres of disturbance, to use the expression of the First Lord of the Treasury. That is all that the League has recommended up to the present time in the shape of compulsory expropriation. We have asked that the price to be paid to those landlords who have broken the trust reposed in them by the State should be fixed at 20 years' purchase at the Poor Law valuation, and we believe that the mere threat of expropriating them at such a price would do more to reduce rack-rents than all the legal paraphernalia of the right hon. Gentleman and his draftsmen. We have also asked Parliament to restore to the tenant his old Common Law right, which was taken away, as the right hon. Gentleman has told us, by the Act of 1816, before which date ejectment was a difficult matter. The League last year had recommended that ejectment should be suspended for two years; and it appears to me that the essential way in which to effect their suspension would be by repealing the enactments passed by landlord Parliaments in favour of landlords in the years 1816, 1850, and 1861. Another restitution which Ireland may fairly claim from England has been already alluded to by the First Lord of the Treasury, who has told the House that the £52,000,000 worth of property sold in the Encumbered Estates Court has been sold without any regard to the interest of the tenants. But did it not occur to the right hon. Gentleman that if this great wrong had been done it would be fair to undo it, and that there would be no hardship upon a landlord who had purchased in the Encumbered Estates Court if he were asked to give up his purchase upon receiving what he had paid for it? If the land were to revert to the State at the price paid for it in the Encumbered Estates Court, the tenants would have their property in the soil protected, and they could remain as State tenants under the Government, or could become landowners by the process indicated the other night by the Chancellor of the Duchy of Lancaster. Is £52,000,000 too large a sum of money for this country to spend upon this Irish question? The money, I feel sure, can be got by a loan at 4 per cent in the open market. [Several Irish Members: Three per cent.] If Parliament can but summon up courage to undo the mischief that has been done, a great deal of good may be effected without any necessity for such complicated legal machinery as is now proposed. Among the landlords who have purchased the large amount of property to which I have just alluded will probably be found a very large proportion of the worst and most rack-renting. I do not mean to say that rack-renting is entirely confined to the new landlords, for I know many absentee landlords, and many old landlords, whose estates are just as highly rented as those of the new landlords. But there is a very large proportion of rack-renting landlords among the latter, and they are the curse of their country. Having said thus much upon the fundamental principles of the measure, and upon some points which, I venture to think, may assist the solution of the question before us, I will pass on to a very brief consideration of some of the more striking details of the measure, and show how impossible it is for the Irish tenant to hope that this Bill will really give him even the small amount of property which the First Lord of the Treasury proposes to restore to him. How, I ask, is this little property of £27 to be secured to the tenant? The tenant cannot be considered as the owner of that property until he shall have successfully wrested it from the landlord. Every point in his case is liable to be contested in a Court of Law; every right which he claims may be subjected to modification, and the onus of proof is thrown upon him from the first. He will have to pay for skilled witnesses to give evidence as to the improvements on his holding; he will have to engage counsel and solicitors, and, if finally successful, he will get £27. It should be borne in mind that the majority of tenants are very poor men and very small holders. Out of 600,000 tenants in Ireland, 320,000 were valued under the yearly value of £8, and of these 175,000 are valued under £4. These figures show how useless it will be for many tenants to hope that they will gain anything from the measure under consideration. The costs of the suits will, in nine cases out of 10, eat up all the profits which the tenant can expect to gain. The old proverb of "The shell for thee; the oyster is the lawyer's fee," will have to be modified if the Bill were to become law, for a tenant will have the shells while his landlord and the lawyer will divide the oyster between them. I am, however, happy to say that the right hon. Gentleman has given up the idea of the County Court as the tribunal of first instance under the Bill. It is true that the right hon. Gentleman has rather shabbily covered his retreat by throwing the blame upon the draftsmen. I desire, however, some statement in reference to this question of the Court, for we are still ignorant of what the composition of the tribunal will be. From the statement of the Prime Minister with regard to the draftsman of the Bill, it appears that he was prepared to allow tenants the option of going past the County Court and applying directly to the Commission. I presume, then, that he would have to substitute a great number of sub-Commissioners. This announcement must have whetted the appetite of the multitude of office-seekers who are hanging around this Bill, and who are looking forward to its results with far more hope than the unfortunate tenants. I presume he would appoint a large number of sub-Commissioners to fix what the fair rents should be, and for the purpose of deciding all the other points which are left to the Court to decide. Now, that is one of the chief defects of the Bill incident to the principle as well as to its detail. It is practically impossible, in an agricultural country like Ireland, where there is no other resource than agriculture, to find a tribunal which will not be prejudiced either in favour of one side or the other. For the purpose of deciding those questions, all the educated classes from whom you would most likely draw your sub-Commissioners will be either landlords themselves or their relations, or in some way under their influence, and in favour of the maintenance of the landlord system in its full integrity. I pass on now to the question of arrears of rent, and I would say that it was worthy of more than the passing notice which the Prime Minister gave it. There is an overwhelming accumulation of evidence in the Reports of both Royal Commissions as to the indebtedness of the tenants, both with regard to arrears of rent to their landlords and debts to the shopkeepers. You offer nothing in this Bill that you did not offer the tenant in the small Bill called the Compensation for Disturbance Bill last year. You do not, in fact, offer him so much, because you only give him the right of selling his interest; and you gave him the prospect, at all events, of something more under that Bill in the shape of compensation for disturbance. You do not give him the opportunity of remaining in his holding, and of enjoying the reduced rent which you hope the Court may in some cases fix. You simply give him the right of selling his interest in order to discharge the arrears of rack-rent which have accumulated during the past three bad seasons to the landlords. Considering, as I have said, that these small tenants in arrear constitute the majority of the Irish tenants, I think we are entitled to make a strong stand in behalf of the interests of those unfortunate people. The Government evidently see that their Bill affords no protection to the small tenants, for they have made a very strong point of the emigration clauses as the real remedy for their case. The Prime Minister and his Colleagues have said that they do not hope to remove the congestion in the West of Ireland by any other means than by emigrating—the people in families. It is admitted on all hands that the congestion which has existed in many parts of the West of Ireland must be got rid of somehow or other. The tenants are crowded upon poor and small holdings, where it would be difficult for them to exist in decent comfort if they had no rent to pay at all. I would ask the Government to take these small tenants under their protection, to place them under the protection of the Commission, and not to doom them to banishment. It is impossible for these poor people to be happy in America. I have seen many of them in America. I have seen them on the land; I have seen them in the cities, and they are not happy, and they are not contented. Passing their lives in the West of Ireland, and many of them having arrived at an advanced age, they are not fitted to undertake the troubles and the struggles of a new world such as America is. Young people, when they go out there, thrive well and can assimilate themselves to the new phase of existence which they have to commence; but to carry out these poor old men and women, and to set them down upon the prairies of Minnesota or Iowa, is indeed a very poor mockery of English justice to Ireland. The example of what was done by Father Nugent, of Liverpool, and by Bishop Ireland, of St. Paul, was quoted during some of the discussions upon this Bill.

As showing the advantages of emigration, Father Nugent emigrated some 20 selected families from the West of Ireland, sent them over, and placed them under the care of Bishop Ireland. Father Nugent is a remarkable judge of character; and I will only say of Bishop Ireland that, if he could not make emigration succeed, no other man is likely to do so. But, with the exception of two or three families, all those 20 families have proved failures as emigrants, and the colony which Bishop Ireland established last year had to be broken up and the people scattered in different directions. I would ask the Government to look into this matter. Emigration is simply a short cut for them. It is simply an evasion of the responsibility which rests on their shoulders. They desire to shift the duties which belong to them, as the responsible Government of the country, upon some emigration agency, and at the expense of the British taxpayer. We require the labour of everybody in Ireland for the purpose of developing the resources of our country. We have plenty of land. I have been accused of wanting to migrate them from the plains of Mayo to the fertile fields of Meath. I believe once in the United States I was guilty of an oratorical flight of that nature; but it was only an oratorical flight. There is no practical necessity for bringing the people from Mayo to Meath. There is plenty of improvable land in Mayo for everybody there. *The Gardeners' Chronicle* says there are 4,000,000 acres of land laid down in pasture in Ireland which are not fit for pasture, and which is every year deteriorating and becoming less capable of producing food. I should like to give the Commissioners power, by way of experiment, to buy land in the neighbourhood of these congested districts under the Lands Clauses Consolidation Acts, and to transplant the best of those tenants if they desired it—and I am sure they would—upon those lands, and give them a chance of cultivating some of this improvable land, and making it produce what it is capable of producing. The adoption of this course with regard to some 50,000 tenants would remove the crowded condition of things in Mayo, Donegal, and one or two other Western counties; and we should produce a great deal more food for the English market. I believe if you get 50,000 or 60,000 of the people on to these grazing tracts which are not fitted for grass, and ought not to be left one instant longer in grass—I am not speaking of the rich grazing lands, which it would be a mistake to break up, but land capable of improvement and in want of labour—I believe we could give these poor people some chance of making them productive. I ventured the other night to make a suggestion in that direction to the Government. I suggested the Commission should have the power of buying land for the purpose of building decent labourers' houses and allotting half an acre or so to labourers, wherever it was found they were not already provided for. However, I was at once pounced upon by the Chancellor of the Duchy of Lancaster, and a lecture in political economy was read to me which I shall not soon forget. We were told that that was the sure way to bring about a return to the condition of the old 40*s.* freeholder; that if you gave the Irish labourer land he would try to live upon it, and would refuse to work for the farmers in his district. The right hon. Gentleman, I think, answered his own speech in another speech he subsequently delivered on the Land Bill, far more effectually than I could have answered it. The right hon. Gentleman had shown that the small cottier tenants in the West of Ireland—tenants holding not more than from half an acre to five or six acres—are migratory labourers, in the habit of migrating every year to England, or wherever they can get employment. They took their labour to the best market, and worked very hard in their employment. The right hon. Gentleman had eulogized, with all his well-known eloquence, the industry and energy of these poor people—people who come to England and Scotland every year, and live on 6*d.* a-day, working, very often, 12 or 14 hours a-day, for the purpose of paying the rack-rent exacted from them for their little holdings at home by the landlords. I would ask the right hon. Gentleman, then, if the migratory labourers of the West of Ireland, holding their five or six acres of land, or more than the half acre which has been spoken of, are not prevented from working, and working very hard, to better their position, why should he suppose that labourers in other parts of Ireland, with much less land given them, would be prevented from working, as the right hon. Gentleman had suggested in his first speech on this question? I feel convinced that if the labourers were rendered independent, on the one hand, of the landlord, and, on the other, of the farmer, if he were independent to the extent only of his small house and his little garden plot, the quality of his labour would be much improved, and he would be contented with his lot; a stimulus would be given to his industry in the shape of the hope of, in time, becoming possessed of greater property. In that way a fresh incentive to industry would be held out to the agricultural labourer of Ireland. I do not think the question of the agricultural labourer could be settled by meddling with the farmers, or by insisting upon the latter building houses or improving the labourers' little plots. I would put the labourer under the protection of the Commission, just in the same way as I propose that the smaller tenants should be put under it; and, if the Commission were formed of men who would not shrink from trouble —of Gentlemen such as I now see on the opposite side of the House, some Englishmen and some Irishmen—I feel convinced that the result would be an enormous improvement in the condition of the labourers throughout Ireland, and a material diminution in the amount of disaffection that, at present, unfortunately exists among the lower classes of Ireland. You cannot expect that the people will be contented as long as they are starving. At any rate, before you apply the remedy of emigration try the other plan—namely, the development of the resources of the country, and I will undertake to say you will not be disappointed in the result. The right hon. Gentleman the Chancellor of the Duchy of Lancaster has asked, "Why are there no industries—why is there no enterprize in Ireland?" It is not very difficult to find the reason. The Irishman has been trained to the knowledge that the result of his labour will not accrue to him. He has learned that that also has been the experience of his fathers before him; and he has come to the conclusion that the less capital he lays by and invests in the land, or anything else, the better for him, and the less is he at the mercy of other people. We cannot have industry in a country without a spirit of enterprize; enterprize comes from hope, and the Irish people have no hope. Go amongst them and see how listless and despondent they are. Go to America and see what Irishmen are there. They have made the railroads, they have built cities, and Irishmen are to be found there distinguished in every walk of life. They are to be found as employers of labour, as manufacturers, and as professional men. We know that Fulton, the inventor of the steamboat, was the son of an Irishman; we know that Roche, the great shipbuilder, and Mackey, Flood, and O'Brien, the most successful miners that exist, are all true-born Irishmen. Here is an example of Irish enterprize. When I was in Cincinnati a short time ago, Mr. Holland, an Irishman, took me over his shop, and presented me with 50 dollars and a gold pencil-case, in aid of the Land League. Mr. Holland emigrated some nine or ten years ago from the City of Cork as a poor boy, who found that he could not get on in his own country. I found him employing 200 hands in the manufacture of gold and silver pencil-cases, and sending his goods to Manchester, Paris, and other places, successfully competing with other manufacturers. I saw that Mr. Holland had just made a discovery, which promised to make a revolution in electric lighting. He has discovered how to fuse the metal iridium, which has, hitherto, been considered to be infusible, and has so supplied the want of an electric burner. Now, the reason the Irish do not succeed in Ireland is because a nation governed by another nation never does succeed. Under such circumstances, communities lose that feeling of independence which to them is just as necessary as to individuals, in order to promote exertion. The curse of your rule—of foreign rule in Ireland, overshadows everything. The conduct of Her Majesty's Government during the past few months has been leading many moderate men to believe that until your Chief Secretaries and Under Secretaries, your Privy Councillors and your Central Boards, your stipendiary magistrates and military police, your landlords and bailiffs, are cleared out bag and baggage, there can be no hope of any permanent improvement of the country. I think Sir, I have said enough to show why I ought not to compromise myself or those whom I represent, by accepting a measure which I fear cannot be either a final or a satisfactory solution of this question. I regret very much that the Government appear determined to miss the great chance which is open to them. I believe that if they had adopted a different course—had they permitted remedial legislation to precede coercion—they would have found a very much stronger feeling in this country behind them, and that they would have been enabled to have carried through this House, and also through the other House, a much stronger and more perfect Bill. I hope the result will prove that I am wrong in my forecast as to the effect of the Bill. No one hopes more sincerely than I do that the measure will turn out better for the Irish tenants than I fear it can. As I have said, I and my Friends have no desire to keep things in a perpetual state of confusion. We desire to see this Land Question and every other Irish question settled. We desire to see this division amongst the classes—which, I fear, some Englishmen desire to perpetuate for their own purposes—done away with. We do not want the Irish landlords and the Irish tenants continually to live in opposing camps. As individuals, the landlords are well fitted to take their place as the leaders of the Irish nation. They have been placed, up to the present time, by legislation in a false position, and they would have been more than human if they could have filled it without shame and disgrace. I would entreat the Government to re-consider the question, and to endeavour, in Committee, to make the measure more healthy for the poor people, and less hurtful, and to bring about such improvement in it that we, the Irish Members, may vote for it without feeling that we are compromising the position we have hitherto occupied and sustained.

SIR STAFFORD NORTHCOTE: I do not know, Mr. Speaker, what impression the speech we have just listened to has produced upon the mind of the House. For my own part, I must say that I have listened to it with much interest, and, at the same time, a great deal of pain. The hon. Gentleman has told us very frankly that he is sometimes subject to the temptation to take "oratorical flights," and therefore I hope that, with reference to some of the observations he has made, we are not to look on them as altogether the result of his deliberate conviction, but that he may have indulged in some of those remarks which he sometimes yields to the temptation of making. I certainly would fain hope that some of his closing remarks are of a character that he would not, upon reflection, desire us to take as his deliberate conviction; but, whether that be so or not, I think there is one thing we may learn from the speech—and that is, that in approaching the consideration of this Bill which the Government have presented to us to work upon, we must lay aside the idea that the measure is to be passed—whether we approve of it, or whether we disapprove of it in our own minds—for the purpose of pacifying the people who are causing the agitation and trouble in Ireland. It is perfectly clear from the speech—indeed, there have been other speeches delivered in the course of these debates that would show the same thing—that no measure such as this—probably no measure that any Government would be likely to submit to the House—will have the effect of satisfying and silencing the demands of those who are represented by the hon. Gentleman. I think it is well at the outset to take note of that fact, because we have before us a most serious question, and we have to consider matters of very great difficulty and very great delicacy; and there is no doubt that we approach them—that hon. Members in different parts of the House approach them—from different points of view, and are guided by very different considerations. It is well that we should know, in considering these matters, what are the grounds we have for believing that the measure—of the intrinsic merits of which we may have doubts—ought to be passed for the sake of giving peace and preventing confusion in Ireland. Now, we have arrived, I think, at the end of the eighth night of these debates, and we are still discussing the second reading of the Bill; and it has been said that a very considerable proportion of the discussions which we have carried on have been discussions on points that ought rather to have been considered in Committee. But I venture to think that we have not been at all excessive in the time we have spent in the consideration of this measure, or in the manner in which it has been criticized, because, in point of fact, this is a Bill as to which so very much depends upon the details, and the details themselves are of such a character, that you can hardly consider them properly if you take them one by one, and do not consider them as a whole. The Bill, I am sorry to say, is one which does not, at first sight, exactly speak for and explain itself. There are many things which, when you look at them in the first instance, you think you understand, but with regard to which, when you come to compare one clause with another, you become somewhat bewildered. We have heard a good deal on several of those points, and it is not my intention to-night to go at any length into those points which have been the subject of so much discussion; but I will take one as an instance of the sort of difficulty in which we find ourselves placed on an examination of the Bill. I will take the first lines of the 1st clause of the Bill—the most important, probably, of all the provisions that are contained in the measure—in which it is laid down that the tenant of a holding shall have the right to dispose of his tenancy at the best price he can get for it, subject, of course, to certain limitations which are afterwards referred to. We want to know the meaning of that expression—"tenancy." We look to the interpretation clause as we look at a glossary, in order to see what is the meaning of "his tenancy"—what it is he has to dispose of. We turn to the end of the Bill, and we find this definition—"tenancy means the interest in a holding of a tenant and his successors in title during the continuance of a tenancy." That is one of the most extraordinary definitions I ever heard. It is open to the sort of objection taken to a particular mathematical equation, when you get a solution in the terms of the unknown quantity. It reminds me very much of one of the answers which Sir Robert Peel told us was given to his celebrated question—"What is a pound?" The answer was—"It is the interest of £33 6*s*. 8*d*. at 3 per cent for 12 months." That is really very much the sort of explanation given to these words—"his tenancy." It is important we should know exactly what it is the tenant is to have the right of disposing of; and we want a much clearer explanation than that which is contained in the four corners of the Bill. When we hear of "his tenancy," we are led to suppose it is some property the tenant has, and that he is to be at liberty to dispose of it just as he can dispose of his horse, or his plough, or any other article that belongs to him. I think I heard from one of the speakers, I forget which—either the Attorney General, or the hon. and learned Member for Dundalk, or some other legal Member—the statement that there was no meaning in the idea of a man having property unless he was at liberty to dispose of it. Then, if that is so, we want to know what is the meaning of these limitations of yours? If this is a man's own tenancy—his own property—why do you put any limitation upon the right which you give him to dispose of it? Or, again, when you talk of "his tenancy," will you tell us exactly how it is that he became possessed of the right? Some get up and say—"Oh, it is perfectly obvious how he became possessed of it. He was the man who improved the farm; he was the man who by his capital and by his energy made it what it is; and he is entitled to the value of the improvements which he has made." Certainly, nobody disputes that. We are all perfectly ready to agree on that point; and we are, and have been—have been for a long time—endeavouring by legislation—under the Act of 1870 and otherwise—to secure to the tenant the full value of whatever he has done to improve his holding. But we are told there is something besides that. Well, it is that something else we want to know and understand; and the great difficulty we have in finding out what that something else is has been the cause of a very great part of the debates we have had to listen to. I am bound to say now, I feel the very greatest difficulty in making up my own mind as to what is intended by that expression. The Prime Minister the other day, as I understand him, told us that everything in the nature of what is sometimes called the unearned increment—everything that arises from an increase in the demand for and a deficiency in the supply of land, everything that exceptionally raises the value of land belongs, not to the landlord, but to the tenant who happens to be in occupation. [Mr. GLADSTONE dissented.] The Prime Minister shakes his head. That may not have been his meaning; but it was the meaning he conveyed to us. There it is—we never know exactly where we are—when we try to express a supposed meaning, we are told we are wrong; and when we try another, we are told we are equally at fault. The measure is avowedly framed with less regard to the laws of political economy than we are in the habit of observing in legislation, because we have to deal with an exceptional state of things which makes it impossible to treat the case of Ireland as you would treat any other case, and because it is extremely difficult to explain the points on which a solution is to be given. When you bear in mind—as the hon. Member for Antrim said in his excellent speech the other day—the question as to how this matter will be interpreted by the Court, or Commission, that will have to decide on it, that will appear to be the real question we have to consider, and that will, I venture to say, keep all Ireland in a ferment for a very considerable time. If that is the case, do let us consider for a moment how important it is that we should address ourselves to the Bill for the purpose of endeavouring to understand it, and seeing how far it will meet the evils which it is designed, or purposes to be designed, to meet. Hon. Gentleman get up and say—"Settle this question once for all;" others say—"Pass this Bill, or something dreadful will happen;" and others—"You will be misunderstood in Ulster if you do not vote for this Bill; and it is important that you should not shake confidence in the Ulster Custom." But no one, that I know of, has any wish to shake that custom; we all want to confirm, and ratify, and strengthen, and bear up that custom. When we come to what we may call the minor premiss of the argument, we begin to perceive its weakness. You say—"Settle this question once for all." We answer—"Will this Bill settle it?" You say—"Pass this Bill, or something dreadful will happen." We answer—"Will the passing of this Bill prevent something dreadful happening?" You say—"If you do not pass the Bill, you will shake confidence in the Ulster Custom." We reply—"We are anxious to ratify and strengthen that custom; but this Bill does not do it." When all these things are said, we cannot but remember that very similar statements were made in 1870. We were told the same thing when we were dealing deliberately and scientifically with the great Upas tree which was overshadowing Ireland, and when we were making a great sacrifice with a view to a permanent and final settlement of this question. We are informed now that in those days the Conservative Party was wiser than it seems to be to-day; that we were advised in 1870 by our great Leader not to oppose the settlement proposed; and that, moreover, when it came to work it did not produce those formidable results that were foretold, but that property rose in value, and every good thing happened. But why was all that? It was because we were then deluded into the belief that that Act was a final settlement. And, whether property did rise in value or not—which is a matter open to some dispute—at all events we believed that security would be obtained, and confidence might very well be restored. But we cannot feel that now. I would only say a few words upon what really impresses me in this matter. We are dealing with a question which is one of a gravity it is impossible to exaggerate. It is not a mere question as between landlord and tenant. It is not merely a question of providing for the improvement and advancement of Ireland. It is a question which touches the whole peace and happiness and welfare of that country, and of the whole of the United Kingdom. It is impossible to exaggerate the importance of the question. Then, for Heaven's sake! do not let us apply a false remedy—a remedy that will not touch the disease, and which is more likely to do harm than good. What is it, after all, that Ireland requires? It requires for its development the application of capital; it requires the confidence which produces capital; and it requires what is still more important, energy and wisdom in the application of that capital. Until these are obtained it will be impossible for the people of Ireland to work out their salvation. Do not suppose that by any measure you can pass you can do for the people of Ireland that which they can only do for themselves. They must themselves be prepared to work with a proper spirit and energy; and it can only be by the exercise of those great moral qualities of enterprize, self-restraint, and self-exertion, that they can become a happy and contented people. Now, is the measure which you are proposing well calculated to bring out these qualities? I will not say—we should be not quite unjustly accused of harshness if we were to say—to the people of Ireland—"We can give you no help in these difficulties; you will have to struggle through them unaided by combining energy with self-denial." God knows, the people of Ireland have had enough of suffering, and anything we can do to help them ought to be done freely and liberally. For my own part, I would not be too strict in observing all the principles of political economy in this matter, if I thought that good could be done by a departure from a course that might seem to be not properly applicable. But let us take care we are helping in the right way. I do not in my conscience believe, and I very much doubt that there are many persons in this House who do believe, that the way to promote peace and happiness in Ireland is to bring about all this quarrelling, and all this confusion in the relations between landlords and tenants. There are still points which we may, no doubt, carefully consider, with the view of placing landlords and tenants on the best terms; but, even then, if the changes which might result be such as do not amount to a total revolution in the whole state of society—if they do not amount to the absolute destruction and overturning of what is called landlordism—I venture to say that many of the smaller changes that you may make will not touch the fringe of the question with which you have to deal. I know there are measures pointed at in the 5th part of this Bill which seem to me to present something of a much more hopeful character; and for my own part I am desirous, and my Friends near me are desirous, to promote as far as possible that portion of the measure. But, even there, we feel ourselves in considerable doubt, because we are unable to assure ourselves how far the Government are really in earnest in endeavouring to press that part of the Bill. We know very well that the Chancellor of the Duchy of Lancaster has always been a strong advocate for the establishment of a peasant proprietary in Ireland. That is, no doubt, the part of the Bill to which he will give his support, and which he looks upon as a matter of great importance. The noble Lord the Secretary of State for India, the other day, in a speech which he made outside this House, spoke of it as being the principal object which the Bill had in view—to make the people owners of the soil—and spoke of the other portions of the Bill as being only a *modus vivendi* until that was done. But I very much doubt, from the speech of the Prime Minister, whether that is the view which he takes. It would seem that he regarded the first part as the principal part of the Bill, and that he looked for the regeneration of Ireland to the alteration of the relations between landlord and tenant, and to the recognition of the tenant's interest in the property to an extent which I could not gather, but which I understood him to say included all that rise in value which might be due to the great competition for land. I think it well that we should be made to understand that point, because there seems to be considerable doubt with regard to it. I do not wish to misrepresent the right hon. Gentleman; but we understood him the other day to say that the expression, "fair rent at the market rate," was a contradiction in terms, because the highest market rent included two things—the one being the value that was obtained by the tenant's outlay, the other the value acquired from the competition for land in consequence of its scarcity and the earth hunger; and he said the tenant had a property in both those things. Those were the expressions used by the right hon. Gentleman; but, if the statement be correct, when was that property conferred? Was it given by the Act of 1870, or was it an original possession of the tenant restored to him by that Act, or is it something that has grown up since the passing of the Act? Sometimes we are told, although when the Act of 1870 was passed we were led to believe the contrary, that even if we were not aware of it, we were by that legislation actually giving this property to the tenant. I must say that greatly shakes our confidence as to the way in which we are now asked to proceed. For we may again be giving something more than we are aware of, and may not find it out till too late. I will not at this late hour detain the House by going into the other parts of the Bill; but there is one important point about which I wish to say a word or two, and that is the constitution of the Commission which is to be the great tribunal erected by the Bill. We have had as yet no real discussion upon the nature of that Commission, and it does seem to me, that, looking to the enormous extent of its functions and the work to be performed by it, we ought to have had, at an early period of the discussion, a much more complete definition of its powers than we have at present. It is not a mere Commission which is to act as a judicial tribunal. It is not that which most of us, I believe, would be perfectly willing to agree to—something in the nature of a tribunal that might assist in arbitrating in cases of difficulty with regard to rents. I am not at all indisposed to examine proposals that may go to the introduction of a system by which an appeal could be made in the case of fixing rents, especially in the case of the smaller tenants who are unable to take care of themselves. But the Commission proposed in this Bill goes a great deal beyond that. It is something in the nature of those commissions of liquidation which are occasionally appointed to settle and wind up complicated estates in bankruptcy. Some of these special powers, which are now given to the Commission, seem to have been copied bodily from those which were given to arbitrators in the case of the London, Chatham, and Dover Railway Company. There are powers given by the provisions of the Bill to the Commission of the most extensive character; and it looks as if, not only those poor people of whom the hon. Member for Cork City has spoken, but the whole of the people of Ireland, were to be put into the hands of the Commission. That would be a most serious state of things to establish. You are going to bring about a revolution in the country, and its regulation is to be entrusted to a Commission of whose composition and powers we do not, at the present time, know anything. I may point out, with regard to these matters, that it would be very well worth while if we were allowed to discuss some of these important parts of the Bill before we discuss that which is regarded as less vital. It would be, I think, of very great advantage to us if we could make sure as to the composition of this Commission; and it would be also of great advantage if we were able to make sure of the 5th part of the Bill, which relates to what we consider to be a very material portion of the proposed measures. We know there have been cases in former times in which large and important Bills have been brought in, and where some portions of the Bill that were considered the most popular and the most important were dropped as the Bill proceeded through Committee, and thrown over either for want of time, or upon some other grounds. I am afraid we shall have something of that kind in connection with the present measure. I am afraid, if we go into Committee without an understanding, we shall find ourselves fighting hard over some of the earlier clauses in trying to settle the relations of tenants and landlords; and that when we come to the 5th part of the Bill, and consider what are really its beneficial portions—those relating to emigration, the reclamation of waste lands, the planting of a tenant proprietary on the soil, and other matters such as all of us regard as important for the development of the resources of land in Ireland—I say, I fear we may be told that these matters are too big to be taken up in connection with this Bill, and that the part of the measure for which many of us would have been ready to vote on the second reading will be laid aside. Sir, I wish to explain what is the position of the Conservative Party generally with regard to this question. I do not know whether I need take that trouble, because, a few days ago, the Prime Minister, who likes to play his opponent's game as well as his own, was good enough to tell us how we ought to move all our pieces, and also to explain what he thought of the policy we were pursuing. However, so far as I can myself offer any contribution towards throwing light upon our proceedings, I will point out to the House exactly how we stand in the matter. We have never denied, and we never shall deny, that it is a very proper and desirable thing to legislate upon these questions. We are perfectly ready to enter into the discussion of questions of the character of those to which our attention has been invited; and, as my right hon. and learned Friend (Mr. Plunket) said no longer ago than last night at Bristol, the Conservative Party, before they saw this Bill, did look forward with hope to its being something of a character which they would be able to support. [*Laughter.*] That statement seems to amuse hon. Gentlemen opposite; and I have no doubt that the standpoint from which some of them approach this question is one which has more of a political and Party character about it than anything else. No doubt, some hon. Members opposite prefer that position to the more solid grounds upon which it might be possible to deal with this question. But that is not our view. We have looked into this Bill, and we have taken some little time to consider what course we ought to pursue. We came to the conclusion that the Bill, as it stood, involved and contained within itself principles of such intrinsic injustice, and principles which appeared to us to be so exceedingly open to objection on economical grounds, that we could not conscientiously accept it, or give it our fiat by voting for the second reading. On the other hand, we were not disposed to take up a position of blank resistance and say—"We will have nothing to do with the Bill, but will do our best to throw it out." We thought it proper to express in a Resolution what our views were with regard to the policy to be pursued towards Ireland. That policy is to be found in the Resolution of which Notice has been given by my noble Friend the Member for North Leicestershire (Lord John Manners). The Resolution runs thus—

> "That this House, while anxious to maintain and secure in full efficiency the customs of Ulster and other analogous customs in Ireland, and to remedy any proved defects in the Land Act of 1870, is disposed to seek for the social and material improvement of that country by measures for the development of its industrial resources rather than by a measure which confuses, without settling on a just and permanent basis, the relations of landlord and tenant."

["Oh!"] Hon. Gentlemen opposite who cry "Oh!" would seem to hate landlords more than they love Ireland. It would appear to be their contention that nothing can be done in the way of improvement for Ireland by measures for the development of her industrial resources, and that it is impossible that any injustice or any mischief can arise from measures which we think we see in the Bill before us—measures for upsetting and entirely confusing the relations between landlords and tenants in Ireland. However that may be, I have expressed the views we hold, and we are prepared to stand by the policy which we have announced in the words of my noble Friend, although we are not able, on Parliamentary conditions, to move it in the form of a Resolution contradictory to the issue before the House. My noble Friend the Member for Haddingtonshire (Lord Elcho) stands first with an Amendment, with regard to which we admit entirely the justice and literal truth of the language employed. It is perfectly true that there are many things in the Bill which we must consider objectionable on the grounds of justice and economy. That, however, is not the way in which we ourselves should prefer to meet the question. But, having to meet it, we are reduced to the alternative of considering whether we shall vote for the words standing part of the Question—"That the Bill be now read a second time"—or whether we shall vote against them. It would be absolutely impossible for us, feeling as we do with regard to the character of this Bill, to vote in favour of the words standing part of the Question, because that would seem to imply that we were insensible to the very objectionable principles contained in the measure before us; and we know perfectly well how a vote of that sort would be used by a disingenuous opponent, who would take care to draw from it inferences which he would well know how to apply. On the other hand, it is said we can abstain from voting; but that cannot be. To abstain from voting would be unworthy of us. We feel, therefore, that it is our duty to vote, in the first instance, for the Amendment of the noble Lord the Member for Haddingtonshire, with the reservation that if we could ourselves substitute a Resolution of our own for that which he proposes, we should adopt that of my noble Friend the Member for North Leicestershire. I hope the House, in the decision it may take to-night, will bear in mind that this is but a preliminary discussion as to the consideration of the Bill in its future stages. If the Bill goes into Committee, we shall do our very best to clear up those points which appear to us to be doubtful, to eliminate those proposals which appear to us to be contrary to justice, and to maintain and strengthen those points which appear to us to be really calculated for the benefit of Ireland. I am quite certain of this—that, at the present moment, there is a great deal that depends on the course that this Bill may take; and it is not by shutting our eyes to the facts, not by thinking that everything is pleasant because it is convenient to you to make it pleasant, that you will get out of the difficulty in which the country finds itself. We have had a fair note of warning from the hon. Member for the City of Cork to-night. We are perfectly well aware of the view that he and those who act with him take. We know how great their influence has been in Ireland; and we know very well how great has been their influence on the Benches opposite. We ourselves will not shrink from doing that which we believe to be our duty. We will not be deterred by any menaces or alarms that may be held out as to something dreadful that may happen if we venture to make any Amendments to these proposals. We will do that which we feel to be our duty; and we do it not in the interests of one particular class. We do not come forward and say merely because this Bill involves the confiscation of the property of landlords—which it does—and because it affords no compensation—which it does not, and is, therefore, unjust—we do not say simply on these grounds we object to the Bill; for, if that were all, you might cure it by offering compensation, and by measures which would somewhat take off from the severity of the confiscation. But we say we are perfectly convinced that legislation such as this—and especially legislation won and wrung from you, as this has been, by the agitation of which the country has been for so many months the scene—we say that such legislation is calculated to inflict an evil on the whole of Ireland, and on the whole of the Empire, quite above and far exceeding any class interest you could imagine to be injured by the provisions of the Bill. You will be teaching the people the lesson backwards—instead of teaching them that they should rely on their own energies, and be prepared by their own energies, and by hard work, and by self-denial, to work out a better position either in Ireland or in some other country. You will be teaching them to look exclusively to the Government, to the Commission—to anybody rather than themselves—and you will be teaching them to consider that when they are in difficulties there is a simpler course than work, and that is agitation. It is with the object of protesting against, and, as far as possible averting, that mischief which we believe would fall on the whole of Ireland, that we take our stand against many of the provisions of this Bill.

THE MARQUESS OF HARTINGTON: Mr. Speaker, I regret extremely that this long debate could not be concluded by the speech of my right hon. Friend the First Lord of the Treasury, which was, I am sorry to say, delivered last Monday to a House far less full than the present one; and I can assure the House that, at this hour of the night, I have no intention of attempting to fulfil the duty which has fallen upon my right hon. Friend the Prime Minister of winding up this debate. I will endeavour to occupy the House for a very short time; and I hope they will allow me, before going to a division, to make one or two observations on the attitude assumed on this measure by the two Parties who sit opposite. A position has been taken by the Gentlemen who sit immediately opposite to us which has been a subject of some surprise, and I cannot say it has been fully cleared up by the explanation which has just been given. We quite understand that the right hon. Gentleman and his Friends should wish to take some time for the consideration of what course they should adopt in regard to this Bill; and, although the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) seemed to have made up his mind pretty well on the first night of the debate on the second reading, and delivered a most uncompromising denunciation of the Bill, we, perhaps, have no right to wonder that no distinct step was taken on the part of the Opposition on that occasion. But when, after the speech of the noble Lord the Member for Haddingtonshire (Lord Elcho), he sat down without being able, on account of the Forms of the House, to move any Amendment, and when, subsequently, the obstacle in the way of moving a further Amendment was withdrawn, right hon. Gentlemen opposite did not even then seem very anxious to step into the gap, but allowed the noble Lord, two or three nights after his speech had been delivered, to get up and step into the vacant place and move his Amendment. Although the right hon. Gentleman has not shown quite the alacrity which we might have expected from some of his speeches, it does not appear to me to signify very much whether hon. Gentlemen opposite vote for the Amendment of the noble

Lord the Member for Haddingtonshire (Lord Elcho), or for the Amendment of the noble Lord the Member for North Leicestershire (Lord John Manners). Everyone knows that an Amendment, in whatever terms it may be couched, moved on the second reading of a Bill is virtually and essentially a Motion for the rejection of the Bill. And in voting for the Amendment of the noble Lord the Member for North Leicestershire, if they had done so, not less than in voting for the Amendment of the noble Lord the Member for Haddingtonshire, they would vote for the rejection and destruction of this Bill. That decision seemed, from the speech we have just heard, to have been arrived at not without some deliberation. It seems somewhat inconsistent with some opinions we have heard from the Front Opposition Bench on former occasions, and even this evening. The hon. Member for North-West Lancashire, speaking the other night, said that when the details of the Bill came to be considered in Committee, it would be subjected to the same temperate criticism as had marked the discussion on the second reading; and the right hon. and learned Member for the University of Dublin, speaking last night at Bristol, said he thought the Bill would become a moderate and useful measure as it progressed. And I thought I heard in the closing passages of the speech of the right hon. Gentleman just now, some expression of the same kind, pointing to a desire on his part to amend the Bill in Committee. But if the right hon. Gentleman succeeds in defeating this Bill on the second reading, how is it to be submitted to this temperate criticism, and how is it to be amended and made a useful measure in Committee? From the language held by the hon. and gallant Member for North-West Lancashire (Colonel Stanley), and the right hon. and learned Member for the University of Dublin (Mr. Gibson), and the Leader of the Opposition himself, I can come to no other conclusion that they do not with their whole hearts support this Motion for the rejection of this Bill. They do not wish the Amendment to be carried; and it is only a step they are supporting for the purpose of relieving themselves from some responsibility for the Bill, and perhaps to satisfy some of the rather more ardent Members of their own Party. I wish to ask the House whether that position on the part of a great Party, and in regard to such a measure and such a question as this, is either a dignified or a useful position? I conceive that on such a question and on such a measure every Member of the House is bound—and more especially the Leaders of a great Constitutional Party—to have an opinion of their own, and that they are bound to vote as if the fate of the Bill depended upon that vote. The right hon. Gentleman has told us that he regrets having to give a vote against the Bill, and he looks forward to Amendments. I do not consider that the speech we have just heard is one which indicates in the slightest degree that if the right hon. Gentleman had the power of rejecting the Bill, he would take the responsibility of exercising that power. If hon. Gentlemen opposite think that no change is required; if they agree with the terms of the Amendment of the noble Lord the Member for North Leicestershire that all that is wanted is a development of the industrial resources of Ireland; if they think that the present crisis is to be met by loans or gifts—an increase of fishery loans and an increase of the grant for fishery piers—then I think they ought to reject this Bill. If they think that the principles of the Bill are unsound; if they think with the hon. Member for Mid Lincolnshire (Mr. Chaplin) and the hon. and learned Member for Preston (Sir John Holker), that this Bill is a Bill of confiscation and spoliation, and that it will lead to other measures of Communism and robbery — if that is their opinion, then they ought to reject the Bill, and they ought not to make excuses for voting against the second reading. I can understand the hon. Member for Mid Lincolnshire, after the eloquent and able denunciation of the legislation of 1870, and of the proposed legislation of 1881, which we have heard this evening—I can understand him, and can believe that he does vote with all his heart and soul for the rejection of the Bill, and that if the fate of the Bill depended upon his vote, that vote would be given for the rejection. But what reasons have we heard from the right hon. Gentleman who has just sat down for rejecting the Bill? He said he would not go into details; but it appeared to me that almost the whole of his speech consisted of criticisms of details. He is not going to reject the Bill because he is satisfied, I suppose, with the meaning of tenancy; or because of a difference of opinion between himself and the right hon. Gentleman behind me as to the unearned increment; or because he objects to the order in which the parts of the Bill are arranged. He said he could not vote for the Bill because it contained the principle of intrinsic injustice; but, having spent a great deal of time in the discussion of details, I did not hear him make any distinct declaration as to what the principle of intrinsic injustice is. [Sir STAFFORD NORTHCOTE: I spoke of confiscation.] The right hon. Gentleman did not say what were the provisions of the Bill which involved confiscation. He did not spend nearly so much time on his ideas as to confiscation as on the definition of tenancy and other parts. If, on the other hand, they consider that some change is necessary; if they do not agree with the terms of the Amendments of the noble Lord the Member for Haddingtonshire (Lord Elcho) and the noble Lord the Member for North Leicestershire (Lord John Manners); if they consider that some change is necessary, but that we are setting about the change in the wrong way, then, again, it is their duty to reject the Bill, and, at the same time, to indicate in what direction they consider the change ought to be made. If, however, they think, as I believe some of them do, that the principles of the Bill are, in the main, just and sound, but that they are pushed too far, or that they are unskilfully applied, then it would be their duty, in my opinion, to accept the second reading of the Bill, pointing out in what way they think the Bill is capable of amendment, and to devote their energies to Amendments in Committee. For these reasons, I think the course they are taking is not extremely dignified; and I venture to doubt whether it is a very useful course. They indicate plainly enough that they expect the second reading to pass; and they are going to turn their attention to Amendments in Committee. Well, Sir, are they, by opposing the second reading, taking the best course to enable them to amend the Bill in Committee? If they had supported or acquiesced in the second reading, they would have had a right to come forward on the discussion in Committee as allies and fellow-workers, at all events, in the same cause; and there are many Amendments which they could have brought forward, and which would have been entitled to respectful, and possibly favourable, consideration. But what view must we take of Amendments which are brought forward in Committee by hon. Members who have announced themselves, by their opposition to the principle of the Bill, opponents and enemies of the Bill? Every Amendment brought forward under such circumstances must be looked at by the friends of the Bill with doubt and suspicion. The hon. Member for the City of Cork (Mr. Parnell) does not intend to vote for the second reading. The right hon. Gentleman (Sir Stafford Northcote) is going to oppose the second reading; but it is more clear and much easier to understand why the hon. Member for the City of Cork should wish to defeat the Bill or, at all events, to be indifferent to its success. The hon. Member has on various occasions indicated what the policy of the Land League is. He has repeated it to-night. His policy I have always conceived to be the total expropriation of the landlords of Ireland, accompanied by more or less compensation for that expropriation. The hon. Member has told us to-night that he is not in favour of the expropriation of all landlords, but that he is in favour of the power being given to expropriate all landlords; and I can see that the position of those who are not expropriated will not be one of any great security. Then the hon. Member proposes to substitute for the landlords occupying proprietors; and he would do this, not by a voluntary, but by a compulsory process. What are the means by which he intends to accomplish this object? He intends, as far as is in his and his Friends' power, to deprive the landlords now and hereafter of their means of subsistence; he intends to embitter the relations between landlord and tenant; and he intends, as far as he can, to make the landlords' existence intolerable, until they will be willing to accept any terms offered them. Naturally, no Bill, the object of which is to improve the relations between landlord and tenant; no Bill, which is intended to restrain the abuse of a system which he wishes entirely to get rid of—no such Bill as that would be satisfactory to the hon. Member. Whatever may be the case with the landlords, whatever may be the case with the tenants, he, at all events, can afford to wait. The landlords may not be able to afford to wait, they may be unable to meet their obligations, they may be deprived almost of the means of living; the tenants may not be able to live much longer in this state of continual warfare against their landlords; it may be almost impossible for the people of these countries to endure much longer the state of anarchy which this conflict involves; it may be impossible for anyone else to wait; but it is perfectly possible, in fact, it is the game of the hon. Member for the City of Cork to wait, because the longer this state of things continues, the longer the feud between landlord and tenant is kept up, the more embittered the relations between landlord and tenant become, the more violent the measures of attack on the rights of property and the measures of defence of the rights of property, the more it suits the hon. Member's purpose, and the sooner he will accomplish his end. His object is perfectly plain, and I am not surprised the hon. Member refuses his support to the Bill. But I cannot imagine how hon. Members opposite can have any sympathy with those objects. It is their desire—it must be their desire—that this question should be settled, and settled as satisfactorily and as speedily as may be; it must be their object and desire that the question should be settled with the smallest amount of change of which it is capable. What is the necessity for legislation on this subject at all? The hon. Member for Mid Lincolnshire (Mr. Chaplin) has said he does not consider any of the reasons given by the Prime Minister adequate or complete, and that in his opinion the real reason why the Bill has been brought in is the agitation in Ireland, and the obstruction which has been encountered in this House. Sir, I deny that it is the agitation in Ireland or the obstruction in this House which is the cause of this legislation; but I am perfectly willing to admit, and I do not think there can be any doubt of it, that one of the causes which rendered legislation necessary, and legislation of this character, is the present condition of Ireland. This condition has been caused partly by the agricultural depression which has visited England and Ireland alike during the last few years, which has partly caused the agitation, and partly by the condition of Ireland which has been produced by the agitation. It is not the fact, as has been frequently alleged, that this condition, which in the opinion of everybody necessitates legislation of some kind, is a new thing, or that it dates from the accession of the present Government. In the years 1878, 1879, and 1880, discussions upon the question took place in the House of Lords; discussions to which I would refer at greater length were it not for the lateness of the hour. In the summers of 1878-9-80, the disturbed state of Ireland was acknowledged by Lord Cairns, who was then Lord Chancellor, and by the Duke of Richmond and Gordon; and in 1880 a quotation was made from a charge of Judge Fitzgerald, in which descriptions were given of the state of certain counties in the West of Ireland, which reads word for word with the descriptions of what was going on in Ireland during the last winter in a much more extended area. The causes which had produced the state of things in a limited part of Ireland in 1878-9-80 have produced it elsewhere since; and if the late Government were unable to cope with the agitation in a very limited area in 1878-9-80, how is it possible to argue that it is entirely owing to the remissness of the present Government that that agitation has spread? It seems to me that a more unfortunate quotation was never used than was used by the right hon. and learned Gentleman the senior Member for the University of Dublin (Mr. Plunket) last night. He quoted from Shakspeare the lines—

> "A little fire is quickly trodden out,
> "Much suffered, rivers will not quench."

Sir, that little fire, which the right hon. and learned Gentleman seems to think has been burning only since the accession of the present Government to power, was burning, as I have said, and as is acknowledged by Members of the late Government, during their tenure of Office. That state of things was existing in the counties of Galway and Mayo during the three last years of the tenure of power of the late Government. [Sir STAFFORD NORTHCOTE dissented.] I see the right hon. Gentleman (Sir Stafford Northcote) shaking his head. I am afraid I must read the extracts. In 1878, Lord Cairns said—

> "I also regret to say, on the part of the Government, that there is much reason to believe that these occurrences in that district are not merely isolated acts having their origin in purely local circumstances, but that they are more or less connected with a larger organization—an organization having the double effect of leading to the commission of these crimes, and bringing to bear in the district where they are committed a system of terrorism and alarm which prevents any evidence being given against the authors of the crimes. With all the means of information which we possess, while I cannot say that undetected and unpunished crime has increased and is increasing in the greater part of Ireland, I believe that in the particular locality to which reference has been made the state of the country is serious, and it is certainly a subject of great anxiety to the Government." —[3 *Hansard*, ccxxxix. 1209.]

In the next year the Duke of Richmond and Gordon made a similar declaration; and in the spring of last year, on March 15th, the following quotation was made in the charge of Judge Fitzgerald:—

> "There seems to be sufficient evidence of an extensive combination for the purpose of forcibly interfering to prevent the payment of rent by tenants to their landlords. This combination manifests its existence in various ways—by the posting of threatening letters demanding such reduction as these persons judge themselves entitled to; by threats of violence to those who continue the payment of rent, and to those who it is apprehended are willing to pay it, and in some instances by actual violence to those who discharge their legal obligations in the payment of their rent. The feeling has further displayed itself by threats against ministers of the Law whose duty it is to serve civil bill processes, by the use of violence to those who have discharged this duty, and in many instances by violence and irritation committed in the face of the constituted authority. This last nature of agrarian crime is dangerous, because it is plain it will lead to bloodshed, which no one can contemplate calmly."

Well, I ask whether these descriptions are not descriptions of identically the same state of things that now exists? [Lord RANDOLPH CHURCHILL: Then there were the Peace Preservation Acts.] There was the little fire burning. It was only in a small part of Ireland, and the late Government were able to devote and concentrate their whole attention upon it. They could use all the powers of the Peace Preservation Act; but they did not prevent it. The state of things I have shown to exist was not suppressed in any one of the three years. At the General Election in 1880, the hon. Member for the City of Cork (Mr. Parnell) was returned, with 20 or 30 Members, pledged to support an extension of this system. Well, that was the condition of the country, which had long existed, and which I admit had become infinitely worse during the last year, and which I have also shown the late Government were absolutely unable to cope with, although it was then on a much smaller scale. Sir, what is the present condition of Ireland? It is too little to say that we are within a measurable distance of civil war. In some parts of the country there does actually exist civil war between landlord and tenant, and the consequences to the community are equally deplorable, whichever Party may be in power. Many parts of the country are in such a condition that rent cannot be collected except it is at the cost of wholesale evictions—evictions which turn numbers of persons out of house and home, and which create a most bitter feeling between classes in Ireland. And if the law is not enforced, the consequence is equally deplorable, because a number of landlords are defrauded of their just and legitimate rights. Well, Sir, such a state of things as exists in a great part of Ireland, and which, on a limited scale, existed during the last years of the tenure of Office of the late Government, was the sole reason for the legislation with regard to this question. I will only say one word concerning the principles contained in the Bill. With the exception of the hon. Member for Mid Lincolnshire (Mr. Chaplin), we have heard no strong denunciation of those principles. The right hon. Gentleman (Sir Stafford Northcote) has greatly changed his views since last year, when he referred to the "three F's" as "Fraud, Force, and Folly." I think that to-night the right hon. Gentleman expressed his adhesion to one of the "three F's"—"fair rent." At all events, I have not heard him say he was unwilling there should be an interference by a Court of Law for the purpose of regulating the rent. Well, Sir, there is nothing, after all, that is very dreadful in the "three F's." If there is any objection to the "three F's," it is to the extent to which they may be applied, or to the manner in which they are enforced. In the "three F's" themselves, taken as principles, there is nothing to be alarmed at. On the contrary, I have no hesitation in saying that the "three

F's" at this moment form the basis of the management of a great many of the best estates in Ireland. Those principles, recognized already to a great extent by many landlords in Ireland, are to be found in this Bill; but they are to be found, not pure and simple, not without limitation, but with limitations of every description. And the question is whether those principles, which are admitted to be sound by many landlords in the management of their own estates, cannot safely be engrafted on the Land Code of Ireland, secured as they are by the limitations in the Bill? Those principles were advocated by the late Mr. Butt, who, while sympathizing warmly with the tenants of Ireland, certainly did not entertain any of the ideas which are now held as to the expropriation of landlords; they were recommended by the authority of one Commission, and by the authority of the majority of another Commission — the Richmond Commission. Whatever the hon. Member for Mid Lincolnshire (Mr. Chaplin) may say, I am prepared to maintain that the most vital of the "three F's," and that which involves the adoption, to a certain extent, of the others, is contained in the Report of the majority of the Duke of Richmond's Commission. It must be admitted that a passage in that Report does contain the principle of judicial interference in the fixing of rent. No doubt, the hon. Member said it was only meant that that power should be exercised in certain places, and with reference only to improvements made by tenants. But if there is to be interference at all, you must empower the Court to decide when that interference is to take place. You admit the principle when you admit the interference of the Court at all. The hon. Gentleman the Member for Mid Lincolnshire pointed out to us in a tone of triumph that the Commissioners were not prepared to support the "three F's" in their integrity; but it does not follow that if they were not prepared to support the "three F's" in their integrity, they were not the logical consequence of the recommendations which the Commissioners made. If you once sanction the principle of judicial interference for the purpose of fixing rents you will find that you have obtained a reality without security. I will not, at this hour of the night (1.20), detain the House by recapitulating the provisions of the Bill. We shall have an ample opportunity of discussing them by-and-bye. The question for the decision of the House is an extremely simple one. In my idea, the law in Ireland has too long neglected to recognize the customary and equitable rights of the tenant. Nothing could be more distinct than the Report of the majority of the Duke of Richmond's Commission that it has been the practice for a long time in Ireland for the tenant to make the substantial improvements, and where that is the case it must inevitably follow that the tenant has equitable rights. We have gone all this time on the assumption that the tenants in Ireland were able to protect these equitable rights, and that there ought to be freedom of contract. But we cannot do so now. We have to acknowledge that freedom of contract does not exist in Ireland, and that the tenants never have been and are not in a position to protect themselves in the possession of these equitable rights. The law has given a presumption in favour of the landlord and against the tenant. It has given everything to the landlord and nothing to the tenant. From 1870 we have endeavoured to reform that state of things by the Land Act of that year. We endeavoured, by a system mainly based on the imposition of certain penalties, and upon other provisions, to protect these customary and equitable rights to which the tenants of Ireland are entitled. The Act of 1870 has been found practically inadequate; and what this Bill proposes to do is to supplement that Act by other and more direct provisions intended to secure to the tenant his equitable and customary rights. That issue is sufficiently intelligible. Is it expedient that changes in this direction should be made; and if it is expedient that the equitable and customary rights of the tenants of Ireland should be more fully recognized than they have been, do the changes proposed in this Bill fully and equitably meet that object? My belief is that they do, and that the Bill does supplement the provisions of the Act of 1870 in both particulars where hitherto it has failed. And, in that belief, I think the House would do well to support the second reading of the Bill, and determine for itself, if it is necessary, in Committee to make clearer and more simple provisions.

Mr. CALLAN had no wish to detain the House for more than a few minutes, and he should not interpose at all if it were not for the fact that in justification both of himself and his constituents he felt bound not to give a silent vote. He happened to belong to a section of the House, of whom there were now only two survivors, who, on an occasion similar to the present, when discussing a Land Bill for Ireland, felt bound to vote against it. He did not on the present occasion propose to follow a precedent which many of his Friends opposite deemed to be an unwise one. But, while he did not intend to oppose the second reading of the Bill, he regretted the absence from it of what he conceived to be a cardinal principle—namely, fixity of tenure. During the Recess he had endeavoured to study the views, not of the enemies of the Bill, but of such of its friends as the hon. and learned Member for Dundalk (Mr. C. Russell). Speaking of free sale, the hon. and learned Gentleman said that in his judgment, if the restrictions now proposed were allowed to remain in the Bill, the expression "free sale" would be a perfect misnomer. Had anything occurred in the course of the debate to hold out a hope that in Committee the Bill, in this respect, would be improved? The same hon. and learned Gentleman, speaking of the resumption by the landlord, stated clearly and emphatically that the power of resumption by the landlord was a one-sided arrangement, which gave powers to the landlord that might be used with injurious effect towards the tenant. He would ask whether any promise had been made by the Government that that complaint would be remedied? Then, again, the same hon. and learned Gentleman, in speaking of the question of "fair rent," gave expression to the feeling which evidently pervaded the majority of Members of that House—namely, that the provisions of the measure in regard to fair rent were most ambiguous. Although he (Mr. Callan) believed he understood what the object of the clause was, yet he confessed that he was by no means certain that he knew what was really meant by "fair rent." It was the most vital point in the whole of the Bill, and it ought to be expressed in language that "he who runs may read." He had waited with some anxiety for an explanation of what fair rent was supposed to mean; but the matter remained still as it did on the first day of the introduction of the Bill, a kind of geometrical puzzle. Since the introduction of the Bill on the 7th of April, he had twice visited Ireland, and he had spent a considerable time in travelling through the agricultural districts of Louth, Armagh, and Monaghan, in order to ascertain the opinions of the farmers in regard to the provisions of the Bill, and especially in reference to the jurisdiction it was proposed to confer upon the County Court Judges. He had hoped that some promise would be made by the Government that in Committee the clause relating to the County Court Judges would be eliminated from the Bill. But what did the right hon. Gentleman the Prime Minister say on Monday? He said it would not only be unwise but impossible to pass over a body of gentlemen who had had an opportunity under the Land Act of collecting a mass of experience such as was not possessed by any other body of gentlemen in Ireland. He would give the House the opinion of an hon. and learned Member who was not a violent Land Leaguer, but was a supporter of the Government, and who sat immediately beside them — the same hon. and learned Gentleman to whom he had already alluded (Mr. C. Russell). What did that hon. and learned Gentleman say of these County Court Judges, whom they were told by the Prime Minister it was impossible to pass over? The hon. and learned Member said he had never read a Bill which, in its practical operation, would more thoroughly and entirely depend upon the machinery by which it was to be carried out. He believed the Bill might be made a boon to the Irish tenants if it were wisely, sympathetically, and honestly carried out; but it was also a Bill capable of being made restrictive and oppressive, if worked by people who chose to take an unsympathetic view of it. The hon. and learned Member then went on to say that the County Court Judges did not possess the confidence of the Irish people. He did not belong to the tenant class; he did not move amongst them; he had no sympathy with them, and those he moved amongst were those who felt no sympathy with them. He (Mr. Callan) had

had some experience of county chairmen, and of three in particular, in his own county. He might say of two of them, who were Conservatives, that while they were ready to express every sympathy for the Irish tenants in their acts, they had never been known to show such sympathy. Yet, by this Bill, they would be placed in a position to judge what was a fair and an unfair rent. Happening to be upon some property in the county of Louth on Saturday, he had examined the Poor Law valuation, and he found there was one tenant whose farm was valued at £31 10*s*., but who paid to a county chairman a rent of £63 7*s*. 4*d*.—more than 100 per cent above the Poor Law valuation. In the case of another tenant, whose property was valued at £14 a-year, the rental was more than 100 per cent above the Poor Law valuation. These tenants were voters; and, therefore, he had called upon them in order to see where the shoe pinched in regard to the present Bill, and they said—"What justice could we expect from a county chairman if he happens to be similarly circumstanced to ours? Our landlord is the county chairman of another county, and he exacts from us an exorbitant rent—100 per cent over Griffith's valuation." He (Mr. Callan) might enter further into this matter, but he had no wish to make charges, indiscriminately, against the county chairmen. The gentleman to whom he referred was a Catholic, and a Liberal, connected with the county of Louth, and he put himself forward as a tenant-righter. He wished his hon. Friends the Members for Sligo joy of the county chairman they had got; but he certainly hoped that the poor impoverished tenants of that county would have some other Judge, under the provisions of the present Bill, than a county chairman who exacted from his tenants a rent that was more than 100 per cent more than Griffith's valuation. Then, again, in regard to leases, it was absolutely necessary that something should be done beyond what was proposed by the Bill of the Government. Even the Prime Minister himself admitted that the subject was one that was worthy of consideration. In the course of his progress last Saturday he (Mr. Callan) called upon an aged lady, and he had received from her in confidence certain documents which, in confidence, he would show to any hon. Member. She held a lease from an English nobleman. To his (Mr. Callan's) knowledge, the late tenant had built upon the property a house and offices, and within the last 25 years had spent something like £1,600 upon it. He laid it all down in grass, and since the passing of the Act of 1870 his lease had expired. And what did this English nobleman, or rather his trustees, do? He forced upon this Irish tenant a lease by which he covenanted to relinquish all rights under the Land Act of 1870. He held in his hands all the correspondence, and among it was a letter dated in 1879. It was a letter to the tenant saying—"Please get the enclosed lease signed and returned forthwith." And three days afterwards, the tenant, not having complied with this mandate, received another couched as follows:—

> "I understand that you declined to sign the yearly agreement forwarded to you as my tenant. I therefore require you to give up possession forthwith, as the covenants contained in your lease expired last May. I intend to send the bailiff to your house on Monday for the purpose of taking it over, and I hope you will give up possession without delay. Of course, if you forward the lease signed without delay, I have instructed the bailiff not to take further notice."

Thus, with his blunderbuss presented at his head, the tenant, who alone had made the farm a valuable one, was compelled to submit to the landlord's terms. He was told—"If you do not sign that document, relinquishing your rights and debarring yourself from all benefit under the Land Act of 1870, I will turn you out." Reference had been made in the course of the debate to the late Mr. Butt, particularly by the noble Marquess who had just addressed the House (the Marquess of Hartington), whose kindly and sympathetic speech made him (Mr. Callan) regret exceedingly that the noble Marquess, instead of being appointed to preside over the affairs of India, had not been placed at the head of the Irish Executive. Mr. Butt, speaking of the Land Bill of 1870, and summing up its merits and demerits, used these almost prophetic words—

> "Such a measure, if successful in some respects, will leave in our system such elements of disaster as will yet shake Irish society to its base."

Mr. George Power Bryan, in moving the rejection of the Bill of 1870, said the

Bill, as it stood, did not fulfil the aspirations of the Irish people. The same thing might be said of the present Bill. Did it fulfil the aspirations of the Irish people?

> "You may pass it into law," said Mr. Bryan; "but do not deceive yourselves. It will entirely fail to satisfy the country."

The same warning was applicable to the present measure. Would the right hon. Gentleman the Chief Secretary for Ireland venture to tell the House that the Bill now before it would satisfy the country and quiet the disaffection which now existed? Mr. Bryan added—

> "It is because I am of opinion that if the Bill should pass in its present shape, litigation and consequent ill-feeling would be perpetuated between the two classes of the community which, beyond all others, ought to live in concord and unity; and, also, because I feel that the just demands of the Irish people must be met, that I oppose the Bill."—[3 *Hansard*, cxcix. 1376-7.]

He (Mr. Callan) and a small minority of Irish Members supported Mr. Bryan on that occasion; and on the present occasion he believed that three times the number of Irish Members would take a similar course. At the risk of interruption and of wearying the patience of the House, he had considered it necessary to make these remarks rather than give a silent vote. He had never, since he had the honour of a seat in the House, shirked a vote or given a vote which he thought he ought not to have given. At any rate, he had had the courage of his convictions, and he could not at the present moment endorse the Bill as accepted by the Irish people.

SIR PATRICK O'BRIEN said, in the year 1870 he voted against the Bill introduced by the right hon. Gentleman (Mr. Gladstone) because, useful as it was, it did not embrace the principles to support which he was elected to that House. Now, in 1881, he was there to say he would support the Bill then under consideration; and why? Because it did recognize the principles known by the *soubriquet* of the "three F's," to support which not only himself and those who acted with him were elected, but also the large majority of the Gentlemen opposite who now recognized the lead of the hon. Gentleman the Member for the City of Cork. That hon. Member, in the speech which they had so lately heard, addressed his hon. Friend the Member for the County of Cork, and asked him upon what grounds he had recommended the Bill to the Irish people? Would it not have been more fitting in the hon. Member to have first asked that question of the large minority of his own supporters who had wished to support the Bill, and had voted against his proposition for abstention? Whatever might be said in that House, he believed that the vast majority of moderate men—from Archbishops down to tenant farmers—were, with Amendments, in favour of the Bill; and he would say that hon. Gentlemen opposite did not perform their duty and their promise to their constituents by refusing to support a Bill embodying the principles upon which they were elected, and thereby weakening its chance of becoming law. They had heard that evening that under the Act of 1870 the average amount of money obtained as compensation by the tenants in Ireland was only £27 each; and the hon. Member for the City of Cork had omitted to state that the Act was passed, not for the purpose of levying damages, but for the purpose of preventing eviction. He had, however, totally ignored the thousands of cases of eviction that were prevented by the Act of 1870. He (Sir Patrick O'Brien) heard a rumour that over 30 Tenant Right Representatives were about to abstain from voting on that night. If it were so, he would be indeed surprised. For the abstention of some he did not find it difficult to suggest a reason. They had to decide between the interests of the Irish tenant farmers and the commands of *The Irish World*, who would stop the supplies if the Bill were supported; and he supposed, in face of such an eventuality, they would abstain from voting. But there was in Ireland the Land League organization; and though there were many villages and country towns which derived no benefit from the money received from America, the local leaders of the movement had become petty kings and dictators, and created a sense of importance which caused men in their neighbourhood to fear them in the exalted position which they occupied. The occupation of these gentlemen would be gone if they had no money to keep up this organization, and they would resume their old appellations of Paddy, Jim, or Mike, and be relegated to their former unimportant and humble positions. Again, he had heard the organization defended upon public platforms on the ground that it was to wipe out the old confiscations in Ireland—Williamite, Cromwellian, and Elizabethian—if any such latter now existed. To assert this was too amusing; the more especially when they recollected that only the other day, in the North of Ireland, when addressing an Orange meeting, the hon. Member for the City of Cork boasted that he was the descendant of one who had crossed the Boyne with that William III., whom he (Sir Patrick O'Brien) supposed the hon. Member for Cork City would call the "Great Deliverer." As regarded the labourers, he found that at public meetings their claims were alluded to at the tail of the proceedings with a bald resolution, like the toast of the "Press" at a public dinner; but no proposition was made in their favour, nor any plan suggested by which their cruel case should be dealt with. For himself, at that hour of the morning, he could not go through the many proposals of the Bill. In Committee, he had reason to hope, many Amendments would be carried out. Leaseholders, for instance, should not be forgotten. But as a Bill embodying in the spirit the great principle of the "three F's," to which he had pledged hinself before his constituents, it should receive his hearty and cordial support.

Mr. STORER said, that, notwithstanding the lateness of the hour, he could not sit quietly without saying one word of explanation in answer to the speech of the noble Lord opposite, who had so wrongfully accused the Conservative Party with regard to the course they had taken in opposing the Bill. He wished to say that the Bill was opposed by those who sat near him entirely upon principle. They considered that the principles contained in it were not in accordance with political economy or the rights of property, and that the Bill would entirely fail in obtaining the object intended. Further, he desired to reply to the allegations made against the Conservative Party that they were responsible, in some degree, for the agitation in Ireland, by saying that those allegations were totally unfounded, as was proved by the admission of the Prime Minister himself in his Mid Lothian campaign. In his opinion, the Bill would fail to stop agitation in Ireland, because it was the interest of some hon. Gentlemen below the Gangway that it should continue, and the sore remain unhealed.

Mr. HEALY observed, that it was gratifying that, at any rate, one Conservative Member had risen to protest against a system which, on the occasion of great debates, allowed the Whips to arrange amongst themselves when the division was to take place, and allowed a number of Gentlemen who came down to the House on those occasions to shout down those who got up to speak at a late hour. For his own part, he thought the course which hon. Members below the Gangway ought to pursue who felt themselves aggrieved by the conduct of hon. Members opposite in this respect, would be to move the adjournment of the debate. He pointed out that when hon. Members who sat on that side of the House rose to speak, no matter how great the question and important the arguments they adduced, they were not listened to. On the other hand, when hon. Gentlemen on the Treasury Bench or on other Benches that were not in the cold shade of Opposition rose to speak, it was supposed that their contributions to the discussion were so important that they ought to be listened to without the slightest interruption. He expressed a hope that no hon. Gentleman below the Gangway would be a party to any arrangement of the kind he had referred to, but would at all times, when necessary, exercise his right of speaking.

Question put.

The House *divided*:—Ayes 352; Noes 176: Majority 176.

AYES.

Acland, Sir T. D.
Agar-Robartes, hn. T. C.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Allen, W. S.
Allman, R. L.
Amory, Sir J. H.
Anderson, G.
Archdale, W. H.
Armitage, B.
Armitstead, G.
Arnold, A.
Ashley, hon. E. M.
Baldwin, E.
Balfour, Sir G.
Balfour, J. B.
Balfour, J. S.
Barclay, J. W.
Baring, Viscount
Barnes, A.
Barran, J.
Bass, H.
Baxter, rt. hon. W. E.
Bellingham, A. H.
Beresford, G. de la P.
Biddulph, M.
Blake, J. A.
Blennerhassett, Sir R.
Blennerhassett, R. P.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Brett, R. B.

Briggs, W. E.
Bright, J. (Manchester)
Bright, rt. hon. J.
Brinton, J.
Broadhurst, H.
Brooks, M.
Brown, A. H.
Bruce, hon. R. P.
Bryce, J.
Burt, T.
Buszard, M. C.
Butt, C. P.
Buxton, F. W.
Caine, W. S.
Cameron, C.
Campbell, Lord C.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. R.
Carington, hn. Colonel W. H. P.
Cartwright, W. C.
Causton, R. K.
Cavendish, Lord E.
Cavendish, Lord F. C.
Chaine, J.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Cheetham, J. F.
Childers, rt. hn. H. C. E.
Chitty, J. W.
Clarke, J. C.
Clifford, C. C.
Close, M. C.
Cohen, A.
Colebrooke, Sir T. E.
Collings, J.
Collins, E.
Colman, J. J.
Colthurst, Col. D. la T.
Corbett, J.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Cropper, J.
Cross, J. K.
Crum, A.
Cunliffe, Sir R. A.
Currie, D.
Daly, J.
Davey, H.
Davies, D.
Davies, R.
Davies, W.
De Ferrieres, Baron
Dickson, J.
Dilke, A. W.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Duff, rt. hon. M. E. G.
Duff, R. W.
Dundas, hon. J. C.
Earp, T.
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Elliot, hon. A. R. D.
Errington, G.
Evans, T. W.
Ewart, W.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Fay, C. J.
Ferguson, R.
Ffolkes, Sir W. H. B.
Findlater, W.
Firth, J. F. B.
Fitzmaurice, Lord E.
Fitzwilliam, hn. H. W.
Fitzwilliam, hn. W. J.
Flower, C.
Foljambe, C. G. S.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fort, R.
Fowler, H. H.
Fowler, W.
Fry, L.
Fry, T.
Gabbett, D. F.
Givan, J.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Gordon, Sir A.
Gordon, Lord D.
Gourley, E. T.
Gower, hon. E. F. L.
Grafton, F. W.
Grant, A.
Grant, D.
Grant, Sir G. M.
Greer, T.
Grenfell, W. H.
Grey, A. H. G.
Guest, M. J.
Gurdon, R. T.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henderson, F.
Heneage, E.
Henry, M.
Herschell, Sir F.
Hibbert, J. T.
Hill, Lord A. W.
Hill, T. R.
Holland, S.
Hollond, J. R.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, E. S.
Howard, G. J.
Howard, J.
Hughes, W. B.
Hutchinson, J. D.
Illingworth, A.
Inderwick, F. A.
James, C.
James, Sir H.
James, W. H.
Jardine, R.
Jenkins, D. J.
Johnson, E.
Johnson, W. M.
Joicey, Colonel J.
Kingscote, Col. R. N. F.
Kinnear, J.
Labouchere, H.
Laing, S.
Lambton, hon. F. W.
Law, rt. hon. H.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Laycock, R.
Lea, T.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lee, H.
Leeman, J. J.
Lefevre, right hon. G. J. S.
Leigh, hon. G. H. C.
Leighton, Sir B.
Lewis, C. E.
Litton, E. F.
Lloyd, M.
Lusk, Sir A.
Lymington, Viscount
Lyons, R. D.
Macartney, J. W. E.
Macdonald, A.
Mackie, R. B.
Mackintosh, C. F.
Macliver, P. S.
Macnaghten, E.
M'Arthur, A.
M'Arthur, W.
M'Clure, Sir T.
M'Coan, J. C.
M'Intyre, Æneas J.
M'Lagan, P.
M'Laren, C. B. B.
M'Laren, J.
Magniac, C.
Maitland, W. F.
Mappin, F. T.
Marjoribanks, Sir D. C.
Marjoribanks, E.
Marriott, W. T.
Martin, P.
Martin, R. B.
Mason, H.
Massey, rt. hon. W. N.
Maxwell-Heron, J.
Meldon, C. H.
Milbank, F. A.
Monk, C. J.
Moore, A.
Moreton, Lord
Morgan, rt. hn. G. O.
Morley, A.
Morley, S.
Mulholland, J.
Mundella, rt. hon. A. J.
Nicholson, W.
Noel, E.
O'Beirne, Major F.
O'Brien, Sir P.
O'Conor, D. M.
O'Donoghue, The
O'Shaughnessy, R.
O'Shea, W. H.
Otway, A.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Pease, A.
Peddie, J. D.
Peel, A. W.
Pender, J.
Pennington, F.
Philips, R. N.
Playfair, rt. hon. L.
Portman, hn. W. H. B.
Potter, T. B.
Powell, W. R. H.
Power, J. O'C.
Price, Sir R. G.
Pugh, L. P.
Pulley, J.
Ralli, P.
Ramsden, Sir J.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richard, H.
Richardson, J. N.
Richardson, T.
Roberts, J.
Robertson, H.
Rogers, J. E. T.
Roundell, C. S.
Russell, Lord A.
Russell, C.
Russell, G. W. E.
Rylands, P.
St. Aubyn, Sir J.
Samuelson, B.
Samuelson, H.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Shaw, W.
Sheridan, H. B.
Shield, H.
Simon, Serjeant J.
Slagg, J.
Smith, E.
Smyth, P. J.
Spencer, hon. C. R.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Storey, S.
Story-Maskelyne, M. H.
Stuart, H. V.
Summers, W.
Synan, E. J.
Talbot, C. R. M.
Tavistock, Marquess of
Taylor, P. A.
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Thomson, H.
Tillett, J. H.

Torrens, W. T. M'C.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Wallace, Sir R.
Walter, J.
Waterlow, Sir S.
Waugh, E.
Webster, Dr. J.
Wedderburn, Sir D.
Whalley, G. H.
Whitbread, S.
Whitworth, B.
Wiggin, H.
Williams, B. T.
Williams, S. C. E.
Williamson, S.
Willis, W.
Wills, W. H.
Willyams, E. W. B.
Wilson, C. H.
Wilson, I.
Wilson, Sir M.
Wodehouse, E. R.
Woodall, W.
Woolf, S.

TELLERS.

Grosvenor, Lord R.
Kensington, Lord

## NOES.

Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, Capt. J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barttelot, Sir W. B.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, rt. hn. G. C.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, right hon. R.
Brise, Colonel R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Bruce, hon. T.
Burghley, Lord
Burnaby, General E. S.
Burrell, Sir W. W.
Cameron, D.
Campbell, J. A.
Carden, Sir R. W.
Cecil, Lord E. H. B. G.
Chaplin, H.
Christie, W. L.
Churchill, Lord R.
Clarke, E.
Clive, Col. hon. G. W.
Cobbold, T. C.
Cole, Viscount
Compton, F.
Cotton, W. J. R.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Dalrymple, C.
Davenport, W. B.
Dawnay, Col. hn. L. P.
De Worms, Baron H.
Digby, Col. hon. E.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Eaton, H. W.
Egerton, hon. W.
Elliot, G. W.
Emlyn, Viscount
Ennis, Sir J.
Estcourt, G. S.
Ewing, A. O.
Feilden, Major-General R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Filmer, Sir E.
Finch, G. H.
Fitzpatrick, hn. B. E. B.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Galway, Viscount
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goldney, Sir G.
Gore-Langton, W. S.
Gorst, J. E.
Greene, E.
Gregory, G. B.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Harcourt, E. W.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hill, A. S.
Hinchingbrook, Visc.
Holker, Sir J.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt hn. A. J. B. B.
Jackson, W. L.
Johnstone, Sir F.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Knight, F. W.
Lawrence, Sir T.
Legh, W. J.
Leighton, S.
Lennox, Lord H. G.
Levett, T. J.
Lewisham, Viscount
Lindsay, Col. R. L.
Loder, R.
Long, W. H.
Lopes, Sir M.
Lowther, hon. W.
Mac Iver, D.
M'Garel-Hogg, Sir J.
Makins, Colonel W. T.
Manners, rt. hn. Lord J.
March, Earl of
Master, T. W. C.
Maxwell, Sir H. E.
Miles, Sir P. J. W.
Mills, Sir C. H.
Monckton, F.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hn. Sir J. R.
Murray, C. J.
Newport, Viscount
Nicholson, W. N.
Noel, rt. hon. G. J.
Northcote, H. S.
Northcote, rt. hn. Sir S. H.
Onslow, D.
Paget, R. H.
Palliser, Sir W.
Peek, Sir H. W.
Pemberton, E. L.
Percy, Earl
Phipps, C. N. P.
Phipps, P.
Plunket, rt. hon. D. R.
Puleston, J. H.
Rankin, J.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Sandon, Viscount
Schreiber, C.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Smith, A.
Smith, rt. hon. W. H.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hn. Col. T. E.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, H. J.
Tollemache, hon. W. F.
Tyler, Sir H. W.
Walrond, Col. W. H.
Warburton, P. E.
Warton, C. N.
Watney, J.
Whitley, E.
Williams, Colonel O.
Wilmot, Sir H.
Wilmot, Sir J. E.
Winn, R.
Wolff, Sir H. D.
Wortley, C. B. Stuart-
Wroughton, P.
Wyndham, hon. P.
Yorke, J. R.

TELLERS.

Elcho, Lord
Tottenham, A. L.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

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### LONDON CITY LANDS (THAMES EMBANKMENT) BILL.

Select Committee *nominated* on London City Lands (Thames Embankment) Bill: — Mr. Bourke, Mr. Brand, Mr. Cubitt, Mr. Shaw Lefevre, Sir John Lubbock, Mr. M'Coan, Sir Henry Peek, Mr. Rendel, Mr. Rylands, and Mr. Schreiber.—(*Lord Frederick Cavendish.*)

### CHURCH PATRONAGE (NO. 2) BILL.

On Motion of Mr. Stanhope, Bill to amend the Laws relating to patronage, simony, and exchange of Benefices in the Church of England, *ordered* to be brought in by Mr. Stanhope, Mr. Stuart-Wortley, Mr. John Talbot, Mr. Albert Grey, and Mr. Stanley Leighton.

Bill *presented,* and read the first time. [Bill 175.]

House adjourned at half after Two o'clock.

# HOUSE OF LORDS,

*Friday*, 20*th May*, 1881.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government Provisional Orders (Poor Law) (No. 2) * (88).

*Second Reading*—Bridges (South Wales) * (83).

*Committee—Report*—Elementary Education Provisional Order Confirmation (Clay Lane) * (69).

*Report*—Inclosure Provisional Orders (Scotton and Ferry Common) * (64); Regulation Provisional Order (Langbar Moor), *now* Commons Regulation Provisional Order (Langbar Moor) * (63); Regulation Provisional Order (Beamsley Moor), *now* Commons Regulation Provisional Order (Beamsley Moor) * (62); Metropolitan Commons Supplemental * (65); Inclosure Provisional Order (Wibsey Slack and Low Moor Commons) * (71).

## AFFAIRS OF TUNIS.—QUESTION.

EARL DE LA WARR asked the Secretary of State for Foreign Affairs-Whether there was any further correspondence relative to the affairs of Tunis about the date of the first despatch already communicated to the House (July, 1878), which it would be convenient for him (Earl Granville) to produce?

EARL GRANVILLE: My Lords, no.

## ARMY ORGANIZATION—THE NEW UNIFORMS.

### OBSERVATIONS. QUESTION.

LORD WAVENEY said, their Lordships were aware that among the other changes of uniform which under a General Order were directed to be made was that the uniform of the Militia Artillery was to be assimilated to the uniform of the Royal Artillery. Another change which the Militia had to make was in the embroidery, which was to be gold, instead of silver, as hitherto. The Militia was a Force which had its own objects and its own duties, and he did not think that the attempts at assimilating it with the Regular Army were well devised. The change from silver to gold was not popular with the Militia officers; but the point to which he wished to draw attention was the uncertainty in which commanding officers were at present left as to uniforms. The equipment of a soldier, like his pay, was a part of his covenant, and he should have it. He begged to ask the Under Secretary of State for War (1). When the dress regulations for officers of Militia would be issued, and what uniforms were to be worn in the interim; and (2). When the Military equipment of the Militia was to be completed by the issue of helmets, regard being had to the approaching training season?

THE EARL OF LONGFORD observed, that others besides Militia officers were affected by capricious changes of uniform. He knew of one general officer who, being uncertain as to the uniform which he was at present expected to wear at Court, sent his own to an Army tailor, who made the necessary alterations for five guineas; but it cost another officer 30 guineas to have his rendered conformable to the most recent requirements. If changes in uniform were necessary and well considered for the advantage of the Service, by all means let them be carried out; but if those changes were introduced without absolute necessity, it was hardly fair to impose on officers the expense which such alterations must always involve.

VISCOUNT HARDINGE asked, Whether the Under Secretary of State for War could state how soon after the 1st of July officers of territorial regiments would be required to provide themselves with new uniforms? He believed that a certain amount of compensation would be paid to the officers of those regiments; but as the amount must vary according to circumstances, he supposed the Under Secretary could not say what it would amount to.

THE EARL OF MORLEY said, that the instructions on the subject of the noble Viscount's Question would be found in paragraphs 15 and 16 of the General Order. Where officers already in a regiment had to provide an entire change of uniform, they would have until the 1st of April, 1882, to do so, except in the case of the 73rd, which would adopt its new uniform on July 1 of this year. Officers joining any of these regiments in the interval would only be requested to appear in undress uniform. As regards facings and badges, the changes would come into operation on the 1st of July next; officers joining on and after that date must adopt the new uniform. Officers now in the regiments would only have to get new uniforms as required to replace their old ones. His right hon. Friend the Secretary of State for War had announced that it was his intention to give some pecuniary assistance to officers in the regiments which were to be converted into Rifles or kilted regiments—the amount of this assistance had not yet been fixed; but it would not be the same in all cases. With reference to what had been said by the noble Lord (Lord Waveney), he must remark that the change in the Militia from silver lace to gold had been recommended very strongly by a Committee on which there were some distinguished Militia officers. On the whole, he believed that change would be very popular with the Militia, and would take effect on the 1st of July. When the Militia required new uniforms, they would replace those which they at present wore with those of the battalions with which they were to be incorporated. As some time must necessarily elapse before all the arrangements in reference to the new uniforms could be completed, officers joining Militia regiments in the interval would only be required to provide themselves with undress uniform until then. With regard to the second Question, it was not intended in the present year, any more than in former years, to issue helmets for the use of the Militia.

The Earl of GALLOWAY wished to know, Whether, in the case of the Royal Scots Fusiliers—which would be converted from a Lowland to a Highland regiment—the uniform would be entirely changed? He also asked what was the intention of the authorities as to the Militia regiment which was to be affiliated—the 21st Regiment? He did not think the noble Earl (the Earl of Morley) was well informed when he said the change would be popular with the Militia. The Militia officers would not approve of having to wear gold lace; and the result would be that for the next 15 years a great many Militia regiments would remain in a piebald state, some of the officers wearing gold and some silver lace.

The Earl of MORLEY asked that the Question should be put again privately, as he was not prepared to make a statement with regard to the Scots Fusiliers offhand. He might say, however, he did not know of any exception to the general Regulation being made in favour of that regiment. There would be no more helmets issued than usual.

Lord WAVENEY asked, Whether, as the change from silver to gold was not to be made before the 1st of July, he would be guilty of any breach of regulation if he instructed the officers under his command, who were without uniform, to provide themselves with new uniforms in accordance with the new Regulation before the date mentioned?

The Earl of MORLEY thought it would be better for them to wait till the 1st of July.

House adjourned at a quarter before Six o'clock, to Monday next, Eleven o'clock.

# HOUSE OF COMMONS,

*Friday*, 20*th May*, 1881.

MINUTES.]—New Member Sworn—Thomas Collins, esquire, *for* Knaresborough.

Public Bills—*Second Reading*—Pier and Harbour Orders Confirmation (No. 2)* [161]; Newspapers * [154].

*Committee* — Infectious Diseases Notification (Ireland) * [40], [House counted out].

*Report*—Local Government (Gas) Provisional Order * [145]; Local Government Provisional Order (Birmingham) * [144]; Local Government Provisional Orders (Brentford Union, &c.) * [149].

## NEW MEMBER SWORN.

Thomas Collins, esquire, *for* Knaresborough.

## THE PARLIAMENTARY OATH.

Sir WILFRID LAWSON: Mr. Speaker, I rose as the hon. Member for Knaresborough advanced to the Table to take the Oath, intending to take the same course which the right hon. Baronet opposite (Sir Stafford Northcote) was permitted to take last month when the hon. Member for Northampton presented himself. ["Order!"]

Mr. RITCHIE: I rise to Order. I wish to know, Sir, whether there is any Question before the House?

Sir WILFRID LAWSON: I will conclude with a Motion. I presumed, Sir—[Mr. Warton: Hear, hear!]—I presumed, Sir, to follow the example which you permitted to be set by the right hon.

Member for Northampton—[*Laughter.*] —I mean the right hon. Member for North Devon. You, Sir, on the occasion I refer to, allowed that right hon. Gentleman to move and interpose a Motion when the Member for Northampton came forward to fulfil the statutory obligation, because he had an objection to that hon. Member taking the Oath which the law imposed upon him; and I wish to follow that precedent, because I desire to point out to the House that we have now adopted a new course in this House. Formerly, a person coming up to take the Oath at the Table took it on his own responsibility; and if he did anything wrong in taking the Oath he was liable in a Court of Law to suffer for what he had done. But the proceedings of the Leader of the Opposition have put this question and the House in a totally new position. The House has now assumed to itself the guardianship of the Oath. It has relieved the individual from that responsibility, and taken it upon itself. Now, Sir, I, as you are aware, totally dissent from those proceedings. In my humble opinion, this House had no Constitutional right to interfere with a subject of Her Majesty in performing the duty imposed upon him by the Statute Law, and I had proposed to move that such proceedings were illegal; but you, Sir, decided that that could not be allowed. If not allowed to move that the proceedings were illegal, I concluded that they were legal; and, being legal, I wanted to make them impartial. I wanted, when the opinions of a person coming to take the Oath were previously inquired into, to see that such a proceeding was impartially carried out, and that we had sufficient guarantee concerning the opinions of every Member before he came to the Table. [*Laughter.*] It is a more important question than some hon. Members seem to think. For the first time for generations this House has appointed a Parliamentary Inquisition to inquire into the opinions of hon. Members before they take the Oath. ["No!"] Hon. Members say "No!" What do they mean? Is there any other reason why the hon. Member for Northampton should not be allowed to take the Oath, except that he holds certain opinions concerning the sanctity of the Oath? My point is that there was no evidence in this House at the time as to what his opinions were. ["Oh!"] There was not the slightest then. There was evidence, perhaps, of what his opinions were some months ago; but there was no legal or official evidence of what his opinions were when he came to the Table to take the Oath. I say, again, that this House has appointed a Parliamentary Inquisition into the opinions of Members. That I object to; but, if decided upon, it ought to be carried out fairly and impartially, and we ought to have a guarantee concerning every man's opinions before he comes to the Table. What I meant to have moved I will read to the House, because it explains what I want to do, and explains why I think I was unfairly treated by having a noise made, and not allowed to move the Resolution, which I think, according to your ruling in regard to the right hon. Gentleman, I ought to have been allowed to move. The Resolution runs as follows:—

"That, having regard to the precedent of April 27, 1881, when this House decided that a duly elected Member should not be permitted to go through the form of repeating the words of the Oath prescribed by Statutes 29 Vict. c. 13, and 31 and 32 Vict. c. 72, Mr. Thomas Collins be not permitted—

["Order!"] I am reading a Resolution which I had written out before he came up to take the Oath—

"to repeat the words of the said Oath until this House shall, by means of a Select Committee or otherwise, satisfy itself as to the nature of his opinions touching the sanctity of the Oath."

I say that the House, having taken the Oath under its charge, should be most anxious that there should be no profanation of the Oath, and ought to take every precaution against anything of the sort. I have—I think unfairly—not been allowed to move that; but as I should like to hear from some of those hon. Members opposite, who so loudly shouted at me some articulate reasons why they would not allow me to perform my Parliamentary duty, I will conclude with a Motion which I would not otherwise have made—"That this House do now adjourn."

MR. HOPWOOD: I beg to second the Motion. It would be very amusing, if this were not so grave a matter, to see how grown-up men can treat a question of such deep significance as has been done by hon. Members opposite. I am very glad to say that the action of the hon. Baronet has brought us this result

—that we now have it on your high authority, Mr. Speaker, that if any Member rise when a newly-introduced Member is about to take the Oath, he shall not be listened to—that he shall have no right to interfere with the taking of that Oath. I must congratulate the House upon that result—proved by the way in which you have treated this matter. I am sure it is your deliberate judgment upon it, and we shall always be able in future to cite your demeanour on that occasion as a precedent. It cannot be read otherwise. When my hon. Friend rose, the Gentleman referred to and the Opposition side of the House knew perfectly well what he was about to do. They raised a clamour, they raised laughter, and they took care that my hon. Friend's words should not, Sir, reach you. And I have no doubt, Sir—I am sure I say it with all respect to the Chair—that you knew, by rumour or direct Notice, what my hon. Friend was about to do; but you were of opinion that my hon. Friend had no right to interrupt in the taking of the Oath, and that no one can question any hon. Member upon any views he may entertain. In seconding this Motion, I, therefore, congratulate the House that we have now a decision and a ruling—by the demeanour of yourself, if not by express utterance—to which no exception can be taken.

MR. STAVELEY HILL: I rise, Sir, to Order. I wish to know whether the hon. and learned Member is in Order in calling in question the authority of the Chair?

MR. HOPWOOD: I have not in the least, Sir, called in question the authority of the Chair. I have pointed out what is the inevitable conclusion to be drawn from the manner and action of the highest authority we have in the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Wilfrid Lawson.*)

MR. H. B. SAMUELSON: I beg to ask you, Sir, wherein the position of the hon. Member for Knaresborough, in regard to being sworn, before he took the Oath, differed from that of Mr. Bradlaugh, neither of them since their election having made any statement respecting their religious opinions, or as to whether they considered the Oath binding upon their consciences, and both of them having been equally willing to complete their election by taking the Oath and their seats?

MR. SPEAKER: I may state to the House that the hon. Member for Knaresborough presented himself at the Table of the House to take the Oath of Allegiance, as required by law, and according to the usual practice of this House. It had been reported to me, no doubt, that the hon. Baronet the Member for Carlisle intended to interpose; and I had determined that if any such interposition was attempted by the hon. Baronet or by any other hon. Member of the House—either to put any question to the hon. Member for Knaresborough, or to interfere in any manner—it was my duty not to allow such interposition. I wish to point out to the House that the case of the hon. Member for Northampton was essentially different. That hon. Member himself raised questions which demanded the consideration of this House, and led to those proceedings with which the House is familiar. Had he, in the first instance, presented himself at the Table to take the Oath, as the hon. Member for Knaresborough has done to-day, I should not have permitted any Member to interpose; and I am persuaded that in so doing I should have taken a course which would be consistent with my duty to this House.

MR. GLADSTONE: I am not sure whether it may not appear officious on my part to say one word after what has fallen from you, Sir, as to the opinion of the Chair. But I may, perhaps, go as far as this—to say that I think the distinction to which you have adverted is an obvious distinction. My own opinion, if it be of any value, and the opinion, I think, of the great majority of those who sit on this side of the House, is very well known. It is that there ought to have been, *ab initio*, no interference whatever with Mr. Bradlaugh, or with any other person, in the performance of what he deemed to be his statutory duty. But that is not the question now before us. My hon. Friend the Member for Carlisle founds himself on the fact that such interference was permitted from the Chair on the former occasion, and he argues that the two cases are parallel, and that such interference should in consistency be permitted by the Chair on the present occasion. Now, the House will recollect that when the interference took place on the part of the right hon. Baronet opposite, it was permitted by you, Sir, not on any technical grounds, but on the distinct and separate ground of the prior proceedings of the House. There are no prior proceedings in this case. Therefore, I submit that the two cases stand to be judged as separate matters and on their separate merits; and I do not think that my hon. Friend can justly contend that there is any kind of parallel, the one with the other.

SIR STAFFORD NORTHCOTE: I only wish, Sir, to add one word to what has fallen from yourself and the Prime Minister, which, I think, will further illustrate the difference between the two cases. In the case of the hon. Member for Northampton, when he presented himself for the purpose of taking the Oath, I rose, not for the purpose of putting any question to the hon. Gentleman, I rose for the purpose of objecting on the grounds known to the House, and which I was prepared to state and did state. I rose for the purpose of stating the objections that I felt, and which the majority felt, and ultimately showed that they felt, to his going through the form of taking the Oath. I did not rise to put any question to him. But the hon. Member for Carlisle rose, not for the purpose of objecting to the hon. Member for Knaresborough taking the Oath. He had no grounds—good, bad, or indifferent—for objecting to the hon. Member taking the Oath, as I conceived I had on the occasion of the hon. Member for Northampton presenting himself; but he rose to put a question. [SIR WILFRID LAWSON: No, to move for a Committee.] Well, he rose to move for a Committee without any grounds whatever upon which that could be founded. Of course, it was a matter of discussion on the occasion of Mr. Bradlaugh's admission whether or not the right course was taken. The majority of the House affirmed it and maintained their decision. It is open to the hon. Baronet to move to have that Resolution rescinded if he thinks good so to challenge it. But I maintain it is not open to him, and is not consistent with the decency or dignity of the proceedings of this House, that objection should be made to the hon. Member for Knaresborough taking the Oath by a side wind and in a manner intended to cast ridicule over the Oath. The question is one of a very serious nature, whatever may be the opinion of the hon. Gentlemen on the other side.

SIR WILFRID LAWSON: May I ask leave of the House to withdraw my Motion? But I would desire to make a personal observation. I made the Motion for adjournment because of the interruption with which I was greeted on rising; and if you, Sir, had risen when I rose, and told me what you have told the House now, of course I should not have interfered; but in consequence of the disturbance, and not getting any information from you, I considered I had a right to move the adjournment of the House.

MR. R. N. FOWLER: I wish just to say one word in reference to what has fallen from my hon. Friend opposite. My point is that there was no interruption. The hon. Member for Knaresborough is an old friend of a great many Members on this side the House; and considering the cordial way in which he was received by several right hon. Gentlemen on the Treasury Bench, I apprehend he has the personal regard of hon. Members opposite. In these circumstances, he was received with great pleasure, not only by political friends, but by other Members, and it was owing to this circumstance that the hon. Baronet was unable to be heard.

MR. CALLAN said, he had a suggestion to make. Sometimes there was a difficulty about a good Party cry. At one Election, if he recollected right, the cry was "Beer and Bible." He would suggest to the hon. Member for Carlisle that he should go to the country with the cry of "Bradlaugh and Local Option."

Motion, by leave, *withdrawn.*

## *QUESTIONS.*

### STATE OF IRELAND—"BOYCOTTING," CO. ANTRIM—MR. NOBLE.

MR. LEWIS asked Mr. Attorney General for Ireland, Whether he is aware that at the end of January or beginning of February last, a sworn information of Mr. Noble, a shopkeeper of Randalstown, county Antrim, as to a conspiracy on the part of certain persons to "Boycott" him, or, in other words, to ruin him in his business, was duly made; and, whether it is true that such information was laid before him, but that no proceedings were taken thereupon?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): No, Sir; I am not aware of any such information having been sworn. None such was ever laid before me.

## THE MAGISTRACY (IRELAND) — CO. ANTRIM — APPOINTMENT OF MR. BLACK.

MR. LEWIS asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Samuel Black, of Randalstown, county Antrim, has recently been appointed a magistrate of the county; whether such appointment was not made by the Lord Chancellor after the refusal of the Lieutenant of the County to recommend the appointment; whether it is true that the Lord Chancellor in the first instance refused to make the appointment on the ground of Mr. Black's alleged connection with "Boycotting" shopkeepers in Randalstown who would not join the Land League; whether Mr. Black was a Liberal Candidate for the County at the last Election; and, whether he will state upon what grounds this appointment was ultimately made?

MR. GIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that out of one hundred and twenty-six magistrates in county Antrim there are only sixteen Presbyterians and five Roman Catholics, although the Presbyterians constitute more than one-half and the Roman Catholics constitute a large proportion of the population; whether it is the case that the Lord Lieutenant of the County is an habitual absentee, and has not been in the county for seventeen years; and, whether much dissatisfaction does not prevail in consequence of the condition of the magistracy; and, will the Government take any immediate steps to remove this grievance, which seriously affects the confidence of the people in the impartial administration of justice?

MR. W. E. FORSTER: Yes, Sir; it is a fact that Mr. Samuel Black has recently been appointed a magistrate for the county of Antrim. As to the second Question, I cannot answer as to communications which have passed between the Lord Chancellor and the Lord Lieutenant of the county relative to the appointments of magistrates. These communications must be confidential, and I do not think I ought to answer Questions with regard to them. As to the third Question, it is wholly untrue that the Lord Chancellor, in the first instance or at all, refused to make the appointment of Mr. Black on the ground of Mr. Black's alleged connection with "Boycotting" shopkeepers in Randalstown who would not join the Land League, or on any other ground. But I think it only due to Mr. Black, with regard to this Question, to say that he himself has informed me that there is no branch of the Land League in Randalstown, consequently there could not be any "Boycotting" by, or in connection with, the Land League; that he has never had any connection with the Land League in any shape or form; and, he adds, that he has never been connected with "Boycotting" shopkeepers in Randalstown. Mr. Black was the Liberal candidate for the County Antrim at the last Election, being selected as the candidate owing to his position, and he polled several thousand votes. With regard to the last part of the Question of the hon. Member for Londonderry, I hardly think I should be called on to reply to it. The grounds of the appointment were perfectly satisfactory to the Lord Chancellor, who thought that if high intelligence, unstained integrity, and large experience, and a large stake of property in the county were sufficient to qualify a gentleman for the magistracy of Antrim, Mr. Black was duly qualified. In reply to the hon. Member for Monaghan, I have not been able to ascertain the accuracy of the statistics; but I have no reason to believe they are inaccurate. I am not aware that any complaints have been made as to the constitution of the Bench; but my noble and learned Friend the Lord Chancellor of Ireland is always ready to remove any magistrate against whom just cause of complaint is made out.

MR. BIGGAR: I wish to ask the right hon. Gentleman if he will state how often the Lord Lieutenant of Antrim has been in the county for the past 30 years?

MR. W. E. FORSTER: I have not that acquaintance with the Lord Lieutenant of Antrim to be able to say.

Mr. CALLAN: Is he not aware, as Chief Secretary for Ireland, that it is notorious that the Lord Lieutenant of Antrim is, and has been for 20 years, an absentee?

[No reply was given.]

## STATE OF IRELAND—SHERIFF SALES IN KERRY.

The O'DONOGHUE asked Mr. Attorney General for Ireland, If his attention has been drawn to the report in the "Cork Examiner" of the 13th instant, of the sale at Killarney on the 12th instant of the interest of a tenant on the estate of Lord Kenmare, named James Flynn; and, if so, whether the sheriff acted legally in rejecting the higher and accepting the lower offer for the farm, even though the amount in notes was actually handed to him by the person who had made the higher offer; and, if it be lawful for the sheriff to distinguish at sales between offers made by emergency men and representatives of the Land League, or to show a preference to bidders in the actual employment of the landlord?

The ATTORNEY GENERAL for IRELAND (Mr. Law): In consequence of the Question, I have read in *The Cork Examiner* the report of the sale referred to. Of course, my hon. Friend knows that it is not any part of my duty to pronounce any opinion upon the course taken by sheriffs on such occasions; but I infer from the statements in the newspaper that in this case the sheriff regarded what is called "the higher offer" as merely illusory. So I infer, because I find it stated that the difference was only 1*s*., one bid being £30 and the other £30 1*s*. In answer to the last part of the Question, I have to say that at a public auction no distinction should be made between real bidders, to whatever classes they may respectively belong. The highest *bonâ fide* bidder should be declared the purchaser.

## SUPPLY OF FISH (METROPOLIS)—BILLINGSGATE.

Mr. FIRTH asked the Secretary of State for the Home Department, Whether he is aware that the Corporation of London claim to have a monopoly of fish markets over the Metropolitan area, and that the only existing fish market in London is at the river-side at Billingsgate; whether he is aware that persons who control this market prevent enormous quantities of fish coming to London, by telegraphing to the ports of supply, whenever there is a risk of prices being unduly lowered, thereby depriving the London poor of an important article of food; whether it is the fact that three-fourths of the fish supply of London comes by rail, and has to be carted down to Billingsgate; whether it is not the fact that Billingsgate is difficult of access, destitute of unloading accommodation, and utterly unfit for the purpose of a land-borne fish market; whether the facts as to Billingsgate are not confirmed in a recent Report made by Mr. Spencer Walpole to the Home Department, and whether he does not further state that the risk of fish going bad

> "is increased by the delays, constantly extending for hours, and occasionally extending over days, which are due to the inadequate approaches to and want of room outside of Billingsgate;"

and, whether (in the absence of any representative government in London) he will take any means to protect the interests of Londoners in the matter of an important article of food supply?

Sir WILLIAM HARCOURT: The facts stated by my hon. Friend on this question are substantially true. There is no doubt that the market of Billingsgate is entirely inadequate for the supply of the Metropolis. That, I believe, is not denied on any hand, and is not denied by the Corporation or by the Fishmongers' Company. But the great evil is the want of access to the market, which leads to a deficiency of supply in one of the most valuable articles of food. I forwarded a few days ago to the Lord Mayor the Report by Mr. Spencer Walpole on this subject, asking that the Corporation would give me advice as to what measures they intended to take to obviate this great public evil. I have not yet received an answer to the question; but when I have received a Report I shall have to consider what further steps require to be taken in this matter.

## PEACE PRESERVATION (IRELAND) ACT, 1881 — PROCLAMATION OF THE KING'S COUNTY.

Mr. MOLLOY: I beg to draw the attention of the Chief Secretary to the

Lord Lieutenant of Ireland to the following extract from a memorial dated the 10th instant, signed by the vicars generals and priests of the deanery of Birr, and forwarded to the Lord Lieutenant, viz.:—

> "May it please Your Excellency,—We, the priests of the deanery of Birr, have been surprised and pained by the proclamation of the baronies of Ballybrit and Clonlisk, in the King's County, under the Act for the Preservation of Life and Property in Ireland. As your Excellency must know, we are more intimately acquainted than others with the real state of the Country and the feelings and conduct of the people, and we have no hesitation in stating that nothing has occurred in the aforesaid baronies to justify the Government in the extreme course they have taken. Reports of outrages have, indeed, been industriously circulated by newspapers opposed as well to Her Majesty's Liberal Government as to the public opinion of the Country. In nearly every instance these reports, to our knowledge, were either totally without foundation or grossly exaggerated;"

and to ask, If he will inform the House of the cause of such proclamation; and if he will now make strict inquiries into the truthfulness of the reports upon which such proclamation was made?

**Mr. W. E. FORSTER**: I can only state that the Government, after grave consideration, and acting on their own responsibility, for the prevention of crime and outrage, thought it necessary to take the course they have taken with regard to the two baronies mentioned.

## PRISONS (IRELAND)—SPIKE ISLAND PRISON.

**Sir R. ASSHETON CROSS** asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can now state what course the Government intend to take with regard to Spike Island Prison, in consequence of the Report of the Penal Servitude Commission?

**Mr. W. E. FORSTER**: The only answer I can make is that I am in communication with the Treasury in reference to it; but I am not yet in a position to state what course the Government intend to take. I hope to be able to do so before long. As the right hon. Gentleman is aware, the matter is a very important one, and there are many difficulties connected with it which require consideration.

## SOUTH AFRICA—THE TRANSVAAL (ADMINISTRATION).

**Mr. CARINGTON** asked the Under Secretary of State for the Colonies, Who is at present responsible for the administration of the Law and for the maintenance of order in the Transvaal, and before what tribunal it is intended to try the murderers of Captain Elliot, in the event of their being brought to justice?

**Mr. GRANT DUFF**: So far as any Government can be responsible in a vast and disturbed country, Her Majesty's Government is responsible. The persons accused of the murder will be tried by the existing High Court of the Transvaal, according to the existing law.

**Lord EUSTACE CECIL**: Have they been apprehended yet?

**Mr. GRANT DUFF**: I think so; but the noble Lord had better give Notice.

## ARMY ORGANIZATION—COMPULSORY RETIREMENT OF OFFICERS—EXEMPTING APPOINTMENTS.

**Sir ALEXANDER GORDON** asked the Secretary of State for War, If he will lay upon the Table of the House a list of the various appointments which will exempt the officers of the Army, who may, at any time hold them, from the operation of the proposed rule for compulsory retirement after five years non-employment; and, if he will state how long such appointments will require to be held in order to enable the holders to claim exemption from the non-employment rule?

**Mr. CHILDERS**: I really must appeal to my hon. and gallant Friend to take the answer which I have already given on this subject. He will find when the Warrant appears that we have fully provided, in the interest of the Public Service, and of the officers themselves, for the cases of Colonels now holding five years' appointments; and I have already explained that the aggregate cost of retirement is estimated at within the sum which I named in moving Vote 3 of the Estimates.

## JAPAN—INTRODUCTION OF DRUGS AND CHEMICALS.

**Mr. R. N. FOWLER** asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have made any communication to the

Government of Japan in regard to the introduction of drugs and chemicals into that Country?

SIR CHARLES W. DILKE: Her Majesty's Chargé d'Affaires in Japan was instructed, in July last, to take such action as might be necessary for the protection of importers of drugs, in case there should be proper grounds for the intervention of Her Majesty's Government, and no further complaint has been received since that date.

### WESTMINSTER ABBEY—MONUMENTS.

MR. MACDONALD asked the First Commissioner of Works, If he will lay a Return, in the form of which Notice has been given, upon the Table of the House, giving an account of all the Slab Memorials, Tablets, Busts, Statuettes, and other Monuments that have been erected in Westminster Abbey in recognition of the dead since 1800?

MR. SHAW LEFEVRE: I have no right to call upon the Dean and Chapter for any such Return as the hon. Member asks for. I have, however, communicated with the Dean on the subject. He informs me that all the information which the hon. Member asks for as to the tablets, busts, and monuments which have been erected since 1800 is to be found in published histories of the Abbey, and in a small popular account of it sold outside the Abbey for 1*s*. If the hon. Member prefers to examine these monuments on the spot, the Dean will undertake to show them to him, and to any other Members who may accompany him, in the course of half-an-hour, at any time he will name. With reference to the information required as to the fees, the Dean says that the fees for private monuments vary from £200 for a bust upwards, according to the size of the monument. The fees go entirely to the maintenance of the fabric, and not to the private emolument of the Dean or any other member of the Chapter. He adds that the space in the Abbey is very limited, the honour of a monument being very much coveted, the disfigurement occasioned by disproportionate monuments very incongruous, and the expense of the fabric of the Abbey very great. I would suggest, therefore, to my hon. Friend that, as his Motion is blocked by the hon. and learned Member for Bridport (Mr. Warton), he should accept the Dean's offer. He will spend a most delightful half-hour, under the guidance of a man who, beyond all his predecessors, has exercised a wise and generous discrimination in offering a place in the Abbey to the memorials of distinguished men.

MR. MACDONALD further asked the First Commissioner of Works, If he is aware that the bust erected to the memory of the late Sir Rowland Hill within the Westminster Abbey cost £200; and, whether he is further aware that the fees for allowing it to be placed there amounted to the sum of £201 1*s*. and to what purpose is such money applied under the term "fabric?"

MR. SHAW LEFEVRE said, that this Question had been already answered.

MR. MACDONALD gave Notice that when the Estimates of the First Commissioner of Works were proceeded with he should move their entire rejection, and call the attention of the House to the scandal of selling places in such a venerable Institution.

### TUNIS (INTERNATIONAL ENGAGEMENTS).

MR. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has already taken or intends to take such steps as will insure to our Maltese fellow subjects resident in Tunis a continuance of those commercial advantages which, under Turkish Suzerainty, they have hitherto enjoyed; or if, under French Protectorate, their trade, which to some extent is in British manufactures, will be subjected to disadvantages similar to those under which our trade with the French Republic is already subjected by our system of one-sided Free Trade, and which conditions do not seem likely to be much ameliorated so long as we continue to receive Foreign manufactures free of taxation, while demanding no similar privileges from foreigners in return?

SIR CHARLES W. DILKE said, that he should answer the Question in general terms in reply to the Question of the hon. Member for Portsmouth.

SIR H. DRUMMOND WOLFF asked, Whether any steps have been taken to secure for British subjects in Tunis all the rights, liberties, exemptions, and privileges obtained for them by the Conventions between the Governments of Great Britain and Tunis, concluded on 10th of October 1863 and the 19th of

July 1875; whether any communication has been received from the French Government as to the validity of the capitulations in Tunis; and, what would be the position of British subjects in Tunis as to the administration of civil and criminal justice; and, whether Her Majesty's Government have recognised or acquiesced in the state of things established at Tunis by the recent action of the French Government; and, whether they will defer any decision on their policy in this respect until Parliament has been enabled to consider the Papers about to be laid upon the Table on the subject?

SIR CHARLES W. DILKE: I propose to give in a few words what information I can with regard to the commercial side of these Questions. If I entered on the political topics to which these Questions refer, I should have to read out the whole of our despatches from Tunis, Nos. 2, 3, and 4. I may state that all existing Conventions are to be maintained and respected; commercial and other rights and privileges will remain undisturbed in so far as they are guaranteed by Treaties, unless new Conventions freely entered into should be substituted for the existing arrangements. The General Convention between the Governments of Great Britain and Tunis still remains in force; it secures to British subjects, vessels, and commerce the treatment of the most favoured nation, and we, of course, continue entitled to the privileges of the later Treaties.

SIR H. DRUMMOND WOLFF: I see by the new French Treaty with Tunis, that while the Treaties are to be maintained the French Government are practically to carry on the foreign affairs of Tunis. The Convention of 1875 is limited to a term of seven years; and I wish to know whether the French Government would, on its expiration in 1882, be competent to give notice for its termination in 1882? I have to ask this particularly, because by the Treaty of 1875 an *ad valorem* duty of 8 per cent was placed on British imports; and in view of the unsatisfactory nature of the present negotiations for a new Commercial Treaty with France, I wish to know whether the French Government would have the power to refuse to renew the Convention of 1875, and to impose on British goods a higher duty?

SIR CHARLES W. DILKE said, that he should like to have Notice before answering the Question.

SIR H. DRUMMOND WOLFF said, he had already given Notice.

SIR CHARLES W. DILKE said, that no Notice had been given of the Question then asked. The Convention of 1875 was undoubtedly in force and remained in force; but the question he was asked to deal with was in respect of a renewal of the Treaty.

MR. MAC IVER said, that his Question raised substantially the same question.

SIR CHARLES W. DILKE said, that the Question on the Paper did not specifically raised the question just asked, which was a question dealing with the future.

SIR H. DRUMMOND WOLFF gave Notice that he would call attention to this subject on Monday next, and ask what the Government intended to do with regard to the Financial Commission at present in existence, and which consisted of English, French, and Italian Commissioners.

SIR CHARLES W. DILKE said, that the financial side of the question had not escaped the attention of the Government. The Government had heard nothing from the French Government, except that they had been desirous of maintaining all the existing Treaties. If any desire should be expressed to change the constitution of the Financial Commission, the Government would take the opportunity of expressing their views.

MR. MAC IVER said, that he felt obliged to say something on the subject of Malta and Tunis, and that to keep himself in Order he would conclude with a Motion. The relations between Malta and Tunis were of great importance, and Tunis had been a great resort of the surplus population of our fellow-subjects in Malta. He contended that the Maltese had not received fair treatment at our hands. They had petitioned Parliament to redress their grievances; but their Petitions had been disregarded. One of their chief wrongs was that we sent our troops and our war vessels to Malta, and that the troops and Navy were relieved from the food taxation which the people of the Island had to bear. Another grievance suffered by the Maltese was that they were compelled to defray the whole expense of the salary of the Governor of the Island, and that the Imperial Government contributed nothing whatever in respect of his military services as Commander of the Garrison. We should be doing the Maltese another wrong by continuing to conduct commercial negotiations in the childish spirit which distinguished the transactions of our present Foreign Office. He had no wish to say anything ungenerous about our French neighbours; but it was a duty from which he could not shrink to urge upon the Government that the trade facilities hitherto enjoyed by the Maltese in their relations with Tunis should be continued in the future. In conclusion, he begged to move the adjournment of the House.

MR. FINIGAN seconded the Motion, his reasons for doing so being the same as those which had influenced the hon. Member who had just sat down. Touching the question of Free Trade, he observed that he had received information from an eminent statistician which showed that while £280,000,000 worth of foreign manufactured goods had in 10 years been introduced into this country, the nations who sent those goods had drawn an immense revenue from the articles exported to their respective countries in return. The charges imposed upon goods by America amounted to between 25 and 60 per cent. He was of opinion that the industry of this country would soon have to be conducted on sounder economical principles than at present.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Mac Iver.*)

MR. ANDERSON said, he was as anxious as anyone could be to have the affairs of Malta discussed in that House, because he believed that Malta was not being properly attended to by our Colonial Government at present; but he deprecated entirely its being brought up in this irregular fashion. It was not doing justice to Malta, any more than it was doing justice to the House, and it was because he wished to see some justice done to the subject that he deprecated it. He therefore declined to go into the subject at present, but would be ready to discuss it if brought forward in a regular manner. He wished, however, to appeal to the Government, after the experience they had had to-night, to deal with this question of those untimely Motions for adjournment. He had given Notice of his intention to move a Resolution limiting, without abrogating, the power of Members to move the adjournment of the House at Question time. He therefore appealed to the Government to take this matter in hand.

MR. MAC IVER asked leave to withdraw his Motion, adding that the hon. Member for Glasgow (Mr. Anderson) was one of the Members who had done their best to effect a "count" on the occasions when he had tried in a regular manner to bring forward the subjects to which he had drawn attention that evening.

MR. SPEAKER: Is it the pleasure of the House that this Motion shall be withdrawn? ["No!"]

Question put, and *negatived.*

## ARMY ORGANIZATION—ROYAL ARTILLERY GUNNERS.

CAPTAIN AYLMER asked the Secretary of State for War, Whether, before deciding upon limiting the service of gunners in the Royal Artillery to seven years, he will give due consideration to the fact that it takes at least six years to make a skilled gunner, and to the serious consequences to the Country which would follow the loss of the services of such men?

MR. CHILDERS: In reply to the hon. and gallant Gentleman I must entirely demur to his statement that it takes at least six years to make a skilled gunner. For such a theory there is in practice no foundation. But we have been carefully considering under what circumstances gunners in the Coast Brigade and in the Garrison Artillery should serve beyond seven years, and I think that our decisions will fully meet the necessities of the Service. The formation, I may say, of a gunner's reserve is most important.

## ARMY ORGANIZATION—COMPULSORY RETIREMENT OF COLONELS IN COMMAND OF DEPOT CENTRES.

MAJOR NOLAN asked the Secretary of State for War, How many Colonels now holding the command of Depôt Centres, or equivalent positions, will be compulsorily retired under the new Warrant before completing the period of five years' command for which they were originally appointed; what will be approximately the average pension of each of these officers; and, will the total additional cost to the State considerably exceed £20,000 without effecting any compensating saving, or conferring any advantage on the officers in question?

Mr. CHILDERS: In reply to my hon. and gallant Friend, I have to state that the Warrant, which will be issued before the 1st of July, will specify the appointments, the tenure of which will qualify officers to remain for specified periods on the active list. As a rule, the tenure of these offices must be two years at least, with special provisions as to service in the field.

## CURRENCY—MONETARY CONFERENCE AT PARIS—BI-METALLISM.

Mr. E. STANHOPE asked, Whether the statement alleged to have been made on Tuesday last at the Paris Conference by Sir Louis Mallet was in any way authorised by Her Majesty's Government or the Secretary of State for India in Council; and, if not, whether such expressions on the subject of Bi-metallism by the official representative of the Government of India in this Country will not lead to great misconception abroad as to the attitude of England on this subject?

Mr. THOROLD ROGERS asked, Whether the reported statements of Sir Louis Mallet at the Paris Conference have the sanction of Her Majesty's Government, and can be construed to imply that the Government approves of the theory which its representative at that Conference has adopted, and in particular the opinion which Sir Louis Mallet is reported to have expressed that, "if law was entitled to impose a single metal as money, it had an equal right to impose two metals at a fixed ratio?"

The Marquess of HARTINGTON: In reply to the Questions that have been put to me, I have to say that, as the interests of India and of the United Kingdom with regard to the silver question did not appear to be identical, it seemed fitting that they should be separately represented at Paris, and that independent instructions should be given to the delegates. The British delegate is instructed as follows:—

> "The delegate of Her Majesty's Government will assist at the meetings of the Conference, solely in order to be a medium of communication, and to afford information when the Conference may require it, but with no power of voting."

*Major Nolan*

The substance of the instructions given to the Indian delegates—Sir Louis Mallet and Lord Reay—was as follows:—

> "You will explain that, in sending a delegate to the Conference, the Government of India must not be held to commit itself to the adoption of the principle of the bi-metallic system in India, and that you are not authorized, without further instructions, to vote on any question raised at the Conference. You will, however, add that, while the Secretary of State in Council is unwilling to encourage an expectation of any material change, at present, in the monetary policy of India, he would be ready to consider any measures which might be suggested for adoption in India as being calculated to promote the re-establishment of the value of silver. It is desirable that you should, as far as possible, avoid giving any pledge on the part of the Government of India which would in any manner interfere with its future liberty of action; but, in the event of your being pressed on the subject, or your seeing reason to think it desirable that such a declaration should be made, you are authorized to agree, on the part of the Government of India, that, for some definite term of years, not exceeding ten, it will undertake not to depart, in any direction calculated to lower the value of silver, from the existing practice of coining silver freely in the Indian mints as legal tender throughout the Indian dominions of Her Majesty. Such a declaration must, however, be conditional on the acceptance by a number of the principal States of an agreement binding them, in some manner or other, to open their mints for a similar term to the coinage of silver as full legal tender in the proportion of $15\frac{1}{2}$ of silver to 1 of gold, and the engagement on the part of India would be obligatory only so long as that agreement remained in force."

I have received no official information of the speech said to have been delivered by Sir Louis Mallet at the Paris Conference, and, indeed, no information on the subject except that which appeared in *The Times* of, I think, the day before yesterday, and, therefore, can give no opinion upon the speech until I have received an authentic copy. I may, however, mention that before coming down to the House I received a telegram from Lord Lyons, dated May 20, 4 p.m., in which Sir Louis Mallet says—

> "*Times* City Article, Thursday. I distinctly stated that the opinion on abstract question in reply to previous speakers was purely personal and individual, and that English Government had from the beginning absolutely refused to join bi-metallic experiment. Speech not yet received from printer; will be sent immediately."

## THE "PRINCESS ALICE" CATASTROPHE —BURIAL EXPENSES OF THE SUFFERERS — TIDAL RIVERS (INTERMENTS) BILL.

MR. MONTAGU SCOTT asked the Secretary of State for the Home Department, Whether his attention has been called to a statement in the "Morning Post" that, in consequence of the existing state of the Law, by which the expense of the burial of those drowned in the Princess Alice disaster, and cast or brought ashore at Woolwich and Plumstead, will have to be paid by those two parishes; and, that bodies of drowned persons are now not recovered from the Thames, but are allowed to float up and down in the tide, as in the rivers of India; and, if he will take immediate steps to alter the Law, and thereby prevent so gross a violation of public decency?

SIR WILLIAM HARCOURT, in reply, said, that when he was asked if "he would take immediate steps to alter the law," hon. Gentlemen in that House must know that that was no easy thing to do. He, however, quite admitted that there was a distinct grievance in this case, and the hon. Member for Greenwich (Baron Henry de Worms) had introduced a Bill for the alteration of the law in this matter, and that Bill would receive the favourable consideration of the Government.

## CENTRAL AFRICA—FRENCH PROTECTORATE ON THE UPPER NIGER.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether it is true that the French Government have concluded a Treaty with the native ruler of the territories on the Upper Niger, placing the Niger from its sources down to the great emporium of Central African Trade, under the exclusive protectorate of France, and excluding all Europeans, except French subjects, from establishing themselves and from opening trading factories within these immense regions, and even from navigating the River Niger; and, whether Her Majesty's Government will consent to the imposition of such disabilities on British subjects?

SIR CHARLES W. DILKE: We have heard from private sources of the conclusion of a Treaty between France and the King of Segoo through the Governor of Senegal, with regard to trade upon the Upper Niger above Timbuctoo —that is, some 2,000 or 2,500 miles from its mouth. Similar information has reached Her Majesty's Government from Her Majesty's Minister at Brussels. I am not aware that there are at present any British traders or trade in the country in question.

## LAND REVENUES ACT—THE STAGSDEN CROWN ESTATE.

MR. J. HOWARD asked the First Lord of the Treasury, Whether he will cause an inquiry to be instituted into the management of the Crown Estate at Stagsden, Bedfordshire, and the alleged harsh treatment of the tenants since the estate was transferred to the Crown by the trustees of the late Baron Dynevor; and, whether he will direct particular inquiry to be made into the case of George Pettit, an industrious and respected tenant farmer upon the said Crown Estate, who recently committed suicide, and who, according to the evidence adduced at the coroner's inquest, left behind him a memorandum to the effect that he had been driven to the act by the treatment which he had received at the hands of the agent of the Crown Estates?

MR. GLADSTONE: The matter is one which deserves to be considered with care. The estate to which the Question relates, and which consists of something like 4,000 acres, was purchased for £112,000, and £21,000 has been laid out in improvements. The farms have been let, according to the judgment of those intrusted with the management, in strict accordance with the provisions of the Land Revenues Act. The valuation on which they have been let is that of Mr. Clutton, who is well known as one of the most experienced valuators in England. The total amount of rent is £4,312, at 23*s*. an acre. Owing to the bad times allowances have been made to the tenants amounting to 11 per cent in 1878, 17 per cent in 1879, and 22 per cent in 1880. The same reduction has been granted in 1881. This leaves the rent at something like 22*s*. an acre, and it will be seen that there is nothing like severity or hardship in the general management of the estate. George Pettit, I am informed, held 171 acres of some of the best land on the estate, on which £2,000 had been laid out in making improvements. He paid 25*s.* an acre, deducting the allowances in bad times which I have described. Last Michaelmas he fell into an arrear of £20, of which no notice was taken until the month of March in this year, when application was made to him for payment. In reply he requested some further time, and no further application was made to him. On the 15th of April the Commissioners visited the farm, and Pettit made no complaint to them, and expressed himself well satisfied with the new buildings and improvements which had been made. He asked that some further works might be carried out, and the application was acceded to and the works put in hand. I may add that there is no doubt this gentleman suffered a good deal from anxiety of mind; but I am informed that he took a second farm by which he lost heavily. I may also mention that I am assured that two months ago, in the course of conversation with his brother, he spoke of the great anxiety which he felt in connection with the farm which he had lately taken; but that he made no complaint with reference to the farm which he held under the Crown.

MR. J. HOWARD asked whether the information which the right hon. Gentleman had given to the House was supplied from the Department of Woods and Forests, or whether it came from an independent and impartial source? He should also like to know whether the right hon. Gentleman had read the report of the evidence which had been given at the Coroner's inquest, and the comments which had been made in the county newspapers on the management of the estate in question; also whether his attention had been called to the case of another tenant?

MR. SPEAKER said, the observations of the hon. Gentleman could scarcely be regarded as coming within the proper limits of a Question, as they involved matter which might lead to debate.

MR. J. HOWARD gave Notice that when the Motion of the hon. Member for Cardiganshire (Mr. Pugh), with regard to the management of the Crown Lands in Wales, came on for discussion, he should move that the proposed inquiry be extended to the Crown Estates in Bedfordshire.

MR. GLADSTONE: I may be allowed to say that the information which I communicated to the House was received from the Commissioners of Crown Lands. I would, at the same time, observe that that information turns upon matters of fact, and not of opinion.

## WESTMINSTER SCHOOL AND CHRIST CHURCH COLLEGE, OXFORD.

MR. THOROLD ROGERS asked the First Lord of the Treasury, Whether it is true that the governing body of Westminster School have agreed to surrender the right of the school to the house in Little Dean's Yard, lately occupied by the Rev. Lord John Thynne, and containing an area of about 10,000 square feet, and to accept instead another house containing an area of about 4,000 feet, after the decease of the present occupier, this house, the acquisition of which is more or less remote, not being so conveniently situated for the proper conduct of the school, and for the necessary expansion of its teaching, and whether in case such an arrangement has been made, there are any means by which it may be rescinded, and the school enter at once into the premises to which it is legally entitled; and, whether, in case the statutes of Westminster School, and the College of Christ Church, Oxford, are revised, it would not be expedient to free the ancient and royal foundation of Westminster from the relations with the two Deans and two Chapters of St. Peter's and Christ Church, especially the latter, since during the last ten years the undergraduates of Christ Church, Oxford, have gained only six first classes in Literis Humanioribus, and only eighteen first classes under Moderators, the college containing 207 undergraduates, while another college, exemptia gratia, now has, in the same period, having now 165 undergraduates, gained twenty-six first classes in Literis Humanioribus, and thirty-nine first classes under Moderators, and that the Westminster students may be left free to choose their own college?

MR. GLADSTONE: In reply to my hon. Friend, I have to state that, as I am informed, the Governing Body of Westminster School have agreed to surrender the right of the School to which he refers. With regard to the second branch of the first portion of his Question, I am not aware of any means by which such an arrangement can be rescinded. The fact is, that the Legislature has, by a not very old Act of Parliament, made provision, through this body, for the conduct of the affairs of the School; and there are no means of taking the conduct of those affairs out of their hands. With reference to the second Question, I may allude to the inference to be drawn from it, which would lead one to suppose that my hon. Friend is of opinion that the diminution in the number of first classes in the case of the Undergraduates of Christ Church was due to the contaminating influence of the contact between the School and College. The Dean of Westminster gives me this consolatory assurance with regard to the composition of these Governing Bodies—namely, that out of 15 persons the Dean and Chapter have only three places; and, consequently, they cannot well corrupt the other 12 members, or if they do they must do so by some mysterious influence, which evidently testifies to an occult virtue in Deans and Chapters. At Christ Church the case was quite as strong, the Governing Body consisting of 29 persons, and the Dean and Chapter having only seven places; so that only about a fourth part of the responsibility for anything that takes place rests with the Dean and Chapter. My hon. Friend is dissatisfied with the conduct of the Governing Body; and upon that matter I must leave him to form an independent judgment.

## FRANCE—THE NEW COMMERCIAL TREATY (NEGOTIATIONS).

Mr. W. HOLMS asked the First Lord of the Treasury, Whether, having regard to the fact that negotiations are about to begin with a view to making a new Commercial Treaty with France, which will effect some of the most important industries of this Country, he will be so good as to relieve the anxiety which is felt in connection with this question by giving an assurance that no Commercial Treaty will be concluded with France till it has been submitted to and approved of by Parliament?

MR. GLADSTONE: The Question my hon. Friend asks me is whether we will give an assurance that no Commercial Treaty will be concluded till it has been submitted to and approved of by Parliament? That pledge has never been given in any case by any Government with regard to any Treaty. I could not give that pledge. It would involve a fundamental alteration as to the mode of carrying on the Business of the country. I have, however, already formally conveyed to an hon. Member who takes an interest in the matter an assurance that he need entertain no anxiety on this subject. There is every security that there can be—in this case very special security—that no steps will be taken except in the light of day, and within the full knowledge of the commercial community, as well as of Parliament; and I think that when my hon. Friend the Under Secretary of State for Foreign Affairs proceeds to present to Parliament information with regard to the arrangements for carrying on the negotiations, it will be seen that no apprehension need be entertained.

## FOREIGN JEWS IN RUSSIA—EXPULSION OF A NATURALIZED BRITISH SUBJECT.

BARON HENRY DE WORMS gave Notice that, on Monday, he would ask the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House a Copy of the Protest by Her Majesty's Government to the Government of Russia relative to the expulsion of Mr. Levisohn, a British subject of the Jewish faith, and of the text of the Russian law bearing on the subject, and of the notice said to have appeared in the "Gazette" warning British subjects professing the Jewish faith from visiting Russia or taking up their residence there?

SIR CHARLES W. DILKE explained that he had never said that the notice given in *The Gazette* warned any British subjects from visiting Russia.

## STATE OF IRELAND—MOVEMENT OF TROOPS AND ARTILLERY.

MR. HEALY asked the Secretary of State for War, Whether it was true, as stated in the morning newspapers, that four pieces of artillery in a flying column had been sent against the peasantry of Limerick; and, if so, whether he had yet received any news from the seat of war?

MR. CHILDERS: I do not know whether the hon. Gentleman puts this Question to me seriously. [Mr. HEALY: Yes.]

Then, all I can say is, that I have not seen the paragraph in the newspapers to which he alludes.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. DILLON.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If it was true that Mr. Dillon had been obliged to return from the infirmary in Kilmainham to an ordinary cell in consequence of the fact that he was obliged to herd with other people in the room which had been set apart for his separate use; and whether, in view of his delicate state of health, steps would be taken to allocate a room in the prison for his sole occupation?

Mr. W. E. FORSTER: If the hon. Gentleman gives Notice of the Question, I shall answer it. What I believe is, that it was found necessary to put other people who were ill in the same room with Mr. Dillon on account of the want of accommodation in the infirmary.

### PEACE PRESERVATION (IRELAND) ACT, 1881—ARRESTS OF REV. FATHER SHEEHY AND OTHERS.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it was true that that morning the Rev. Father Sheehy, Mr. Henry Gilbertson, Mr. P. M'Carthy, and Mr. John Cleary were arrested at Kilmallock, in the county of Limerick, under the suspension of the Habeas Corpus Act; and, if so, whether he would inform the House on what grounds those four gentlemen had been arrested?

Mr. W. E. FORSTER: The four persons named by the hon. Member were arrested this morning under the provisions of the Peace Preservation Act. I can only say it is with great regret that we have found it to be absolutely necessary to direct the arrest of a Roman Catholic clergyman. With regard to the exact terms of the Warrant, we shall receive that document by post to-morrow morning, and if the hon. Member will ask me, I will give him the terms of it on Monday. It will be laid upon the Table of the House in the usual course.

Mr. O'SULLIVAN said, that during the seven years which he had been in that House he had never risen to move the adjournment of the House at that early hour of the evening; but he felt that the present was too serious an occasion to be allowed to pass without protest. They knew well that in Ireland arrests were accustomed to be made without any charge being brought against those arrested; but he believed this was the first time since the abolition of the Penal Laws that a clergyman had been arrested for political reasons. Though they had a Tory Government in Office in 1867, and though thousands of persons were arrested in that year, yet amongst that number there was not a single clergyman arrested on that occasion, though the Tory Government were never given much credit for partiality towards Catholic clergymen. How was it that when a Liberal Government was in Office, and that when the number arrested was comparatively so small, that one of them was a Catholic clergyman? He knew the three large farmers who were arrested in his neighbourhood since they were boys, and he knew them to be active and industrious, and believed they would not be guilty of any reckless or illegal conduct to bring them under the provisions of the Bill. It was, therefore, a mystery to him why those arrests should have taken place. One of these gentlemen was an auctioneer in a large way of business, as well as being a large farmer, and he never knew a man more attentive to his business than he was. He (Mr. O'Sullivan) felt that he would not be discharging his duty to his constituency if he allowed this occasion to pass without calling attention to the arrest of these men. The Chief Secretary had declined to tell them the reason why they were arrested; but he (Mr. O'Sullivan) would tell them what he thought was the cause of their arrest. There was in his neighbourhood, and in many other parts of the County Limerick, a great many rack-rented tenants; but there was particularly, on one estate in that neighbourhood, the most rack-rented tenantry in any part of Ireland—that was on the estate of a man named Coote. It had been stated in that House that the purchasers in the Landed Estates Court were the greatest rack-renters; but this man was not a purchaser in the Landed Estates Court. He was one of the real old Cromwellian settlers, and he was a man that rack-rented his tenantry more than any other landlord in the County Limerick. Writs were flying about on that estate for a half-year's and a year's rent. The tenants had paid their rents as long as they possibly could out of the little capital they had; but in the bad years of 1878 and 1879 they were not able to pay these rack rents. Within the last week there had been an order to evict a man with a large family on that property, named Murphy; and it was feared that if these men were at liberty, they would be able to tell the grievances of these tenants, and that the people there would rise up as one man and try to prevent the eviction of Murphy and others on that estate. He believed that was the reason why Father Sheehy and these respectable, industrious farmers had been arrested. That landlord had an agent named Townsend, and for the last 20 years his conduct had been most tyrannical to the tenantry on several properties round Kilmallock and Kilfinane. There was no opportunity that occurred, whether the death of a father or mother, or the marriage of a son, that he did not try to advance the rent, and the consequence was that the rents on the estates in many cases were double what they were 20 years ago. Another of his tenants had been served with notice to quit, so that between Mr. Coote and his agent, Townsend, the neighbourhood was unfortunately in a disturbed condition. The trouble had been brewing for many years, for there was no occasion that had not been taken advantage of to raise the rent, until at last the rents were beyond what the tenants could pay. Then they revolted against the agent. He had known a case where the rent had been raised three times in 25 years, so that what was only 19*s.* 3*d.* per acre at that time was now £2 1*s.* 9*d.* per acre. He knew the neighbourhood in which the arrests had been made; he knew the persons who had been arrested, and he knew their history; and he challenged the Chief Secretary to the Lord Lieutenant to show that any of the persons arrested had committed any act which brought them legitimately within the scope of the Coercion Act passed by Parliament a short time back. The truth was, that a farmer named Murphy was to be evicted in the course of a week or two; and it was thought dangerous by the Executive Government to leave in the neighbourhood certain men of intelligence and knowledge who would be able to explain to the people the glaring injustice that was being inflicted upon this unfortunate man. There was no Court before which the question could be raised that would not reduce the rents on this rack-rented property; and this was the explanation of the fact that writs were being numerously served on the tenants occupying farms on the estate, for they knew the Land Bill would stop their hand. Feeling that, he would not be doing his duty if he allowed the arrest of four respectable constituents of his to take place without any sufficient reason to pass unchallenged. He therefore begged to move the adjournment of the House.

Mr. SYNAN said, he was reluctant to interfere with the ordinary Business of the House by supporting Motions of this eccentric character; but the circumstances of the present case rendered the course which had been taken a proper course. It had never been known in the course of the last century that a clergyman in Ireland had been arrested and put into prison without trial. He could only suppose that the reason for the arrest of the Rev. Mr. Sheehy—a gentleman of the highest character, alike in reference to education and religion—was that he was a great favourite in the county, and, possessing large influence with the people, would have been able to exert considerable power among them in reference to certain eviction proceedings which were impending. He had been surprised that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had stated his inability to lay before the House the terms of the Warrant of arrest; because he understood the right hon. Gentleman in the course of the debate on the Protection of Person and Property (Ireland) Bill to say that he would take care that no arrests should take place unless he had been communicated with beforehand. Would the right hon. Gentleman say that that clergyman had brought himself within the terms of the Act, and that he had incited people to crime, or that he had been a party to public disturbance in the district? He knew the men by repute, and he believed they were persons of such a position that it was impossible they would be guilty of offences of the kind for any purpose of their own. He thought it was time the Government gave the House some information on the subject. At all events, they ought to lay the Warrants on the Table. He agreed that the present was an inconvenient mode of bringing on a discussion on the subject. But why was it done? The Irish Members wanted a day to discuss Mr. Dillon's arrest. They were denied that opportunity; and if the present discussion had not been raised in the way it had, no doubt they would have had to wait for such a long time that by the time it was brought on the whole thing would have vanished from the minds of the people. He said that was a subject that called for the immediate attention of the Government, for an answer from the Government, and it would not do to tell them that they had no information about it until they got the Warrant. He begged to second the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. O'Sullivan.*)

Mr. W. E. FORSTER: I wish to remove one misapprehension in the mind of the hon. Member for Limerick, who has last spoken, and that is, that these arrests took place without my knowledge. I thought I had given the impression in my first answer that we had examined into the matter when I said it was with great regret we found ourselves absolutely compelled to arrest a Catholic clergyman. The simple reason why I cannot give the exact terms of the Warrant is because I have not yet received them; but if the question is repeated on Monday they will certainly be stated. With regard to the causes of the arrest, I beg to say that I must follow the course taken by my right hon. Friend the Prime Minister on a previous occasion—namely, that we cannot enter into the question of these arrests upon a Motion for the adjournment of the House. I must distinctly inform the House that we have made up our minds that it would not be our duty to do so. Individually, I am most anxious to meet any Motion that may be made against my conduct, or the conduct of the Irish Executive, in regard to this or any other arrests; and I shall be very much surprised if I should not satisfy the great majority in the House that we could not have taken any other course. But I must respectfully decline to enter into any discussion of the matter on the present occasion, and for this reason—that it is a charge upon the Government which ought to be brought before the House in such a manner as would enable it to say whether it agrees with the charge or not.

Lord RANDOLPH CHURCHILL could not be altogether surprised that the right hon. Gentleman the Chief Secretary declined to enter into a discussion on the administration of the Coercion Act on a Motion for the adjournment of the House. But although these Motions had been made on two or three occasions, and although the Chief Secretary had always declined to go into any discussion at that moment, yet he had always expressed, at the same time, his burning anxiety to meet any charge which might be made against him. If the right hon. Gentleman wished that profession of his to have much weight with the House, it was very easy for him to take a course which would make the House perfectly confident that that was so. The Irish Government had now for three months been in possession of extraordinary powers, and there was, no doubt, a great anxiety in the minds of many hon. Members—not only from Ireland, but Members of the Opposition—to discuss the state of Ireland and the administration of the Coercion Act. The state of Ireland was quite as important as any Business which could be brought before the House. The fact was, that although the Government had brought in a very strong Coercion Act, although they had produced their remedial measures, yet the condition of Ireland was 50 times worse than it was when Parliament assembled. He could not conceive anything more important than that; and if the Chief Secretary was so anxious to meet the charges made against him, let the Prime Minister take the first Government night and dispose of the matter. ["Hear, hear!"] He was glad that the Prime Minister cheered the statement, and that that course was likely to be adopted. He must say he was not surprised at the course the hon. Member for County Limerick had taken, because the matter he had brought before the House was, as he believed, without precedent. The arrest of a Roman Catholic priest, whether rightly or wrongly—as to that he pronounced no opinion—was a thing calculated to shock the sensibilities of the Irish people from one end of the country to the other. That being so, the Chief Secretary ought not, he thought, to have taken refuge under the irregularity of the Motion, but should have at once stated to the House the reason why he had resorted to so unprecedented a measure. An explanation the Irish Members had a right to demand. He was perfectly certain that the late Administration would not have resorted to an act of this kind without the greatest possible necessity existing for it, and if they had done such a thing the Minister would have been prepared to come to the Table and state all the reasons for the arrests. There was no doubt that the arrests had been most capricious. What was the difference between the speeches delivered by Father Sheehy and those of Archbishop Croke; and what was the difference between those and the speeches of Mr. Brennan? They would like to know why one man was arrested and another left out? What was the logical conclusion to be arrived at from the proceedings of the Government? It was that they desired, not directly, but indirectly, to suppress the Land League by Act of Parliament. He could not help thinking that the Land League had been rather useful than otherwise to the Government, as violent speeches rather aided the progress of the Land Bill. Those violent speeches were checked by an occasional arrest, but with the result that more violent speeches were made the next day. While on this subject, he could not help referring to the arrest of Mr. Dillon. The hon. Member for Tipperary had, before leaving for Ireland, publicly stated that he intended to defy the law and to teach the people of Ireland how to resist the influences of the Coercion Act. Mr. Dillon kept his word. He made several speeches, not one of them more violent than any of the others. Those speeches extended over several weeks, and produced a very unfortunate result in Ireland as far as the restoration of order in that country was concerned. But what did the Government do—rather, what did they not do? They did not arrest Mr. Dillon. By their very apathy they encouraged him. He was allowed to remain at liberty until the moment he was about to leave Ireland, to leave off making those speeches, to come over to the House of Commons and take part in the Constitutional discussion of the Land Law (Ireland) Bill; and that was the moment selected by the Government to arrest him. What, he asked, might be expected to be the natural result of the passing of the Coercion Bills? The natural result, from what they heard from the Government, would be the proclamation of the whole of Ireland, except the Province of Ulster—certainly the proclamation of Dublin and Cork, in which, to a certain extent, existed elements of evil and danger to the Irish Government. Well, what did the Government do? They did not proclaim either Dublin or Cork until they determined to arrest Mr. Dillon, and then they suspended the Constitutional liberties of Dublin, a city of 300,000 or 400,000 inhabitants. In the whole course of Irish history he did not think they could find any record of so arbitrary an act. But the course of the Government throughout had been, as he had said, capricious. They gave the House strong reasons for passing the Coercion Acts, and how many persons had been arrested under them until a recent period? Just 30. That was the practical fulfilment of the pledge of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant that if Parliament passed the Coercion Acts he would pacify Ireland. For a considerable time 30 persons only were arrested, and the result was that the fear the Acts were intended to instil into the minds of the Irish people totally evaporated. If they wished to restore order in Ireland, which he very much doubted—["Oh!"]—well, they were not going the right way about it by removing from the minds of the people all apprehension as to the operation of the Acts. No one in Ireland had the slightest fear of the Chief Secretary or the Lord Lieutenant. As had been said the other day, the Irish Government had lost the respect of every man in Ireland. He would add to that that they had lost the respect of every single impartial person in the United Kingdom. There was, in his opinion, nothing more dangerous than that a Government should extort from Parliament the unconstitutional powers they now possessed—for many Conservative Members were unwilling to intrust them with the exercise of those powers—and show that they were afraid to put them in operation. These Coercion Acts had been in operation some months, and the state of Ireland was 50 times worse than before they were passed. The right hon. Gentleman the Chief Secretary had been asked for an explanation of the most recent proceeding of the Irish Executive under those Acts, and he had declined to enter into any explanation on the subject, stating that he would do so if a regular Motion were made in respect of it. That treatment of the subject might be satisfactory for a little time, but it could be so for a little time only. He strongly advised the Chief Secretary to take a different course; and he did so because he saw the way in which public opinion was going, looking at all the elections which had recently taken place. The fact was, the whole of the country was dissatisfied with the Government; and therefore he would advise the Chief Secretary, out of pure friendship, to lay all the facts before the House, and prove, if he could, that the present state of Ireland was not owing to the proceedings of the Government, and the sooner he could give that proof the better it would be for the Government and for Ireland.

Mr. T. P. O'CONNOR said, he was not about to draw the attention of the House to the administration of Irish affairs by the Chief Secretary to the Lord Lieutenant, that right hon. Gentleman being, as he believed, in a state of Arcadian ignorance as to the real state of Ireland. The right hon. Gentleman at the head of the Government was in his place, and he it was who was really responsible for the government of Ireland. He wished to point to the contrast between the speeches of the right hon. Gentleman on the Coercion Bills and the present action of the Government. The Prime Minister objected to the prolongation of the discussion on the introduction of the Protection of Person and Property (Ireland) Bill, because, in the absence of the text, it was impossible to speak with accuracy of its probable operation; but he added that, if they were legislating against agitation or against popular discontent, it would be better to proceed, in the first instance, with remedial legislation; and then he declared they were legislating against the abettors and the perpetrators of outrage, on whose fears they desired to operate—men of the dangerous classes, who were not to be converted by remedial legislation. The right hon. Gentleman added that neither members of the Land League or other persons could be touched except so far as they fell within the stringent provisions of the Bill. Was it a just inference that the Bill was aimed solely at the perpetrators and abettors of outrage? [Mr Gladstone assented.] The right hon. Gentleman assented, and he would therefore ask whether Father Sheehy was an abettor or perpetrator of outrage? Father Sheehy was one of the most earnest, honest, fair dealing, and patriotic of the clerical party in Ireland. Was this arrest, then, consistent with the declaration of the Prime Minister as to the objects of that Bill? He took no notice of the declarations of the Chief Secretary, who contradicted himself from day to day, and guided himself with the reports of policemen, without troubling himself to find out whether they were true or not. He challenged the right hon. Gentleman (Mr. Gladstone) to say that the description of what the Coercion Act was going to be, and against whom it was to be directed, corresponded with the arrest of this respectable and respected clergyman—with the arrest of Town Councillors and Poor Law Guardians, and many other persons in Ireland, whose sole offence against the law had been that they were earnest supporters of this great struggle of the people against landlordism. Authentic evidence of what had occurred in the neighbourhood in which these arrests had been made was to be found in the Report of the Commission. It was asserted by the witnesses that tenants who had made improvements had been compelled to sacrifice them and to accept leases, and that rents had been raised; and Mr. William Uniacke Townsend himself admitted all the charges made against him, expressed the opinion that every tenant should have a lease, and confessed that with those leases he protected himself against the clauses of the Land Act as far as he was able to do so. No wonder he wished all his tenants to have leases, seeing that they thereby deprived themselves of the benefits conferred upon them by the Land Act. It was because Father Sheehy and other honest men agitated and demonstrated against this plunder by the landlord in the dying throes of landlordism that they were put into prison in direct contravention of the statement of the Prime Minister. The question still remained, What were the Government going to do with Ireland? Were they going to respond to the invitation of some advocates of coercion and go further than they had done already? The Attorney General for Ireland, who was a master in the art of putting a most humane appearance on the most inhuman acts, had told the House that a magistrate could sentence a man to a month's imprisonment for carrying what he called an "inflammatory placard." If a parallel were wanted to the administration of the law in Ireland, they must go back to those times in France before they got rid of the landlords by the short and summary proceedings which were not permitted in this Constitutionally-governed country. The Prime Minister knew if he committed a single act of tyranny against one working man in England his Ministry would not be worth an hour's purchase. But those things were managed differently in Ireland, and the law by which it was done was the law of historic precedent and the will of the conqueror. Ireland seemed to be about as free, happy, and contented a country to live in as Russia under General Ignatieff.

MR. DAWSON bore testimony to the humane and excellent character of the Rev. Father Sheehy, and protested against the answer of the Chief Secretary. He insisted that a proper answer should be given. The right hon. Gentleman knew what was in the Warrant under which the arrest had taken place, and there was no reason why it should not be stated to the House. The people of Limerick must have been outraged by the arrest of a Catholic priest who was known chiefly for his courtesy and kindness. Had the right hon. Gentleman been in Ireland he would not have dared to be a party to such an outrage. With reference to the state of Ireland, he must say he attributed it entirely to the hesitation of the Government to bring in a Bill to stay evictions during the discussion of the Land Law (Ireland) Bill. If they took that step outrages, he believed, would cease; and if they refused to take it, the outrages, he contended, were not so much the fault of the people as of the Government. Apart from the Irish aspect of the question, it appeared to him that this act was a fatal mistake on the part of the Government at a moment when they were trying there, far away from the scene of the transaction, to pass pacific measures for the country. Instead of preparing the minds of the people for the acceptance of such measures, they were pursuing an exasperating and muddling policy. The effect of the arrest of the hon. Member for Tipperary and of Father Sheehy would be that their followers and admirers would be increased a hundredfold, and the task of pacification and conciliation would be 10 times more difficult for the Government. Such gross inconsistency was enough to make the people of Ireland look with suspicion on all their measures.

MR. GLADSTONE: These Motions for Adjournment have, perhaps, considerable attraction to those who make them, for they afford an unbounded opportunity of licence, not only for the statement of accusations, but for the statement of assertions of any kind whatever, ranging over a field of immeasurable breadth, and requiring nothing except the imputation of the worst motives on every occasion to those charged with the government of the country, and not allowing of any practical test whatever by a vote of the House. I will only say, with regard to the speech of the hon. Gentleman who has just sat down, that whenever it does come near the region of facts, it appears to be extremely inaccurate. I will take those facts entirely within my own knowledge. He has saddled me as having made a statement that the Government were ready to entertain a proposal for introducing a temporary and provisional measure for suspending evictions. Sir, the Government has made no such statement whatever, or anything approaching to it. Nothing of the sort has ever fallen from my lips or from the lips of my right hon. Friend (Mr. W. E. Forster). I believe that with that observation I may pass from the speech of the hon. Gentleman who has just sat down, animating and interesting as, no doubt, it must have been to those who heard it. I come now to the speech of the hon. Member for the town of Galway (Mr. T. P. O'Connor). I cannot undertake to justify the acts of Mr. William Uniacke Townsend, or to condemn them, for I have no acquaintance with any of them, nor, indeed, was I aware of the existence of that individual. If I have read his evidence in the Report of the Commission I have forgotten him; but there is one statement with which I think it my duty to grapple. He complains that during the debate on the Protection of Person and Property (Ireland) Bill we said it was aimed only at the perpetrators and abettors of outrage, and that we have now arrested a Roman Catholic priest for supporting the operations of the Land League, which we had entirely disclaimed as the object of the Bill. He is perfectly correct in his reference to the description given by Her Majesty's Government of the objects of the Bill. We did say that the Bill was not aimed at the Land League, as such; we did say that it was not aimed at the popular agitation, in the general sense of the word; we did say that it was aimed at the abettors and perpetrators of outrage; and I am entitled to say that we have not arrested anyone, priest or layman, for being a member or supporter of the Land League, or for taking part in the popular agitation, even though we may have thought that the popular agitation went, in certain respects, far beyond the limits of safety and of justice. I simply place my unproved assertion on that subject against the unproved assertion of the hon. Gentleman. But, Sir, I must say that, although the Gentlemen coming from Ireland, not unnaturally, are led in their position to deal in assertions that are somewhat hasty and reckless, they are far transcended and surpassed by their single English ally, the noble Lord the Member for Woodstock (Lord Randolph Churchill). As long as the noble Lord deals with matters of opinion he is perfectly safe, because he has nothing to do but to heap upon the Government all the vilifying epithets he can command; to impute to each of their actions the very worst motive he can discover, and to serve up a highly-seasoned repast for the intellectual palate of his audience; and by this means I admit it is impossible for us to contend against a mind so judicial, against one who is so very careful and scrupulous in the language that he uses, and in the alliances he endeavours to establish by his Parliamentary procedure in this House. But, Sir, if the noble Lord will accept counsel from me, he will avoid coming to the ground of fact. Whenever he comes to the ground of fact he treads upon very dangerous ground. I heard him make many assertions to-day; but all his reproaches I will pass by with the single observation that while he accused my right hon. Friend or me of being arbitrary and capricious, he also accused him, because of the extremn paucity of arrests made under the Coercion Bill, of having deprived that measure of all nerve and strength, and sacrificed the object for which it was passed. But the noble Lord spoke on two points with regard to the hon. Member for Tipperary, now, unfortunately, under confinement. The noble Lord said that the whole of the speeches of the hon. Member for Tipperary were identical in their tone and spirit. Well, Sir, if that is to be considered as a matter of opinion from the noble Lord, we claim the right of holding the opposite opinion; but if it is to be stated by him as a matter of fact, we, as a matter of fact, respectfully deny it. All his speeches have been carefully considered by persons who are, I apprehend, quite as competent to measure their legal bearing and significance as the noble Lord. Perhaps I may go so far as to say that the Law Advisers of the Crown are even more competent than the noble Lord to measure the legal bearings of the hon. Member's speeches. [Lord RANDOLPH CHURCHILL dissented.] The noble Lord announces by a shake of his head that he is more competent to judge of the legal bearings of the speeches of Mr. Dillon; but, perhaps, I had better leave the noble Lord as Sir John Moore was left—"alone in his glory"—if it is the opinion which he entertains of his own capacity in matters of law. Passing from that assertion of the noble Lord, I come to another which is still more in the nature of an opinion, and still less of the nature of a matter of fact. He said that we allowed Mr. Dillon, the Member for Tipperary, to make his speeches as long as he was merely touring about Ireland; but that when he announced he was coming to London to take part in the discussion on the Land Law (Ireland) Bill, and to make a particular proposition in relation to it, then, seized with apprehension, we interfered and arrested him. Sir, I challenge the noble Lord to prove to me that Mr. Dillon ever did say that he was coming to London. [Lord RANDOLPH CHURCHILL:

It was a matter of notoriety.] A matter of notoriety means that it is known to all men. Now, Sir, I assert that it was not known to all men. It may be known to the noble Lord, but it was not known to us. What we know is that Mr. Dillon, the Member for Tipperary, made a statement that a certain question was going to be raised in the House of Commons, and the only declaration that has been made known to us on that subject contains no statement whatever that he was on his way to London to make it. ["Oh, oh!"] Where is it? Produce it? If the hon. Member for Cork City (Mr. Parnell) thinks fit to interrupt me for an assertion of what is within our own knowledge—namely, the assertion of what came to our knowledge, for I went no further—if he has not patience to let me state what I am cognizant of, and what I am not, I think he is bound to produce the evidence upon which he ventures upon an interruption that, I must say, was of a rather discourteous nature. The only statement known to me, and I believe I am right in stating to my right hon. Friend the Chief Secretary, was a statement that a certain proposal was going to be made in the House of Commons. It was not a statement that it was going to be made by the hon. Member for Tipperary. [MR. PARNELL: That was the only inference that could be drawn.] The only inference that could be drawn, and that which the hon. Member for Cork City declares was the only inference that could be drawn, the noble Lord declares to be a matter of fact and of public notoriety. I will leave the noble Lord, in the course of his not unfrequent communications with the hon. Member for the City of Cork, to settle between them which of these versions is the correct one. Sir, I am bound to say, having referred to the noble Lord and the manner in which he thinks it his duty to render assistance to the Executive in the performance of a very difficult task in Ireland, I should not do justice if I did not dwell upon the marked contrast between the conduct of the noble Lord in that respect and the conduct of the whole of the Gentlemen whom I see sitting opposite, and to whose Party the noble Lord belongs. While they may very likely join in many of the condemnations of the noble Lord upon many of the proceedings of the Executive Government in Ireland, they have studiously avoided saying a word which would tend to weaken the arm of the law, or deprive of their effect those measures, painful but needful, that Parliament has passed for the purpose of establishing peace and order in Ireland. As I shall not have the privilege of speaking again, nor will my right hon. Friend, on the part of the Government, with regard to any further assertions that may be made, I will enter my respectful protest, that we must not be understood by our silence to admit in whole or in part the correctness of those assertions. But there is another question as to the mode of carrying on these debates. There is a complaint against the Government because they have not shown a greater readiness to find time for the discussion of those arrests. The meaning of that is, that we have not put off the discussion on the Land Law (Ireland) Bill, which the hon. Member for Cork City is trying as far as he can to defeat, nor consented to sacrifice Monday, a day which is required for discussion on the subject of taxation. We think we have great interest in having the matter of the arrests made the subject of discussion on a specific Motion; and we also think that there has been something like a deliberate avoidance of opportunities on the part of hon. Gentlemen. It may be an inaccurate impression, but we believe we have grounds for the impression, that there is a decided preference on the part of some Gentlemen for these rather rambling and certainly unmeasured debates—unmeasured as to the assertions that are made, and rambing as regards the issue from the spirit of practical discussion we might have on the Motion. The hon. Member for Galway (Mr. T. P. O'Connor) dropped a suggestion the other day to which I should have given an answer at the time if some other Gentleman had not put another question, and the suggestion of the hon. Member for Galway was lost sight of. The hon. Member asked—"Will you propose a Morning Sitting of the House for the purpose of enabling us to have a Motion of complaint regularly lodged against you?" With regard to a Morning Sitting, Her Majesty's Government have recently had some experience. Using such information as we possessed we proposed a Morning Sitting for a particular purpose, believing that it was agreeable to the general feeling of the

House. But we found afterwards that a considerable majority of the House was not disposed to regard it with favour. Therefore, it would not be prudent on my part to place myself in the same position again, until I had received some assurance that the proposal would be agreeable to the majority of the House. All I can say is that if upon the best information it is in our power to obtain we find it would be agreeable to the House, we should not refuse to ask the House on Monday evening to consent to a Morning Sitting on Tuesday. That is the only offer which, in the straitness of time we are under, I can make; and I can only add that we have every desire to forward the views of those Gentlemen who wish to challenge the conduct of the Government on this subject.

MR. CHARLES RUSSELL observed, that the House was discussing the case without an accurate knowledge of the facts, and without the possibility of arriving at any practical result. He was glad, therefore, that the Prime Minister was disposed to give an early day for the consideration of the arrests under the Coercion Act. The whole subject was extremely important; but the arrest of a man like Mr. Sheehy was a peculiarly grave act, and one that might have very serious consequences on the public peace in Ireland. He claimed no immunity for any body of persons, lay or clerical, from arrest if they brought themselves within the law; but in the case of a Catholic priest in Ireland only the gravest reasons could justify his arrest, and when the Government had thought it right to make such an arrest they were bound to come prepared at the earliest possible moment to state to the House fully and fairly the grounds of that arrest. In many parts of Ireland the voice of the Catholic priest was the only free voice that could be raised against the oppression of the people. When he asked the Government to state the grounds on which they had acted, he did not demand a mere technical compliance with the letter of the Coercion Act, but a full and fair statement of the reasons for which Mr. Sheehy had been arrested.

SIR STAFFORD NORTHCOTE: The Prime Minister has rightly interpreted the silence we have observed during this discussion. While we must hold the Government entirely responsible for the whole of their action in this matter, we desire in no way whatever to embarrass or to weaken their hands in the discharge of their most painful and most responsible duties. I rise, not in order to make any general observations on this subject, but to refer to what I understood the Prime Minister to say with regard to a Morning Sitting. As I understand, he desired that an opportunity might be given for the discussion of the very serious question raised by this and other arrests in a proper and convenient form by appointing a Morning Sitting on Tuesday. If that is the desire of the Government, I think the House ought to support that proposal. The question of the conduct of the responsible Government at such a crisis as this, and in such an important matter, is one which ought not to be left in abeyance. It is impossible that hon. Gentlemen from Ireland should take every opportunity, regular or irregular, for the discussion of this question; and they must feel that the only true and satisfactory way in which it can be discussed is by a regular Motion. We quite understand that it would be difficult for the Government to give a Government night for the purpose; and I think, though I reserve my opinion as to the proper times and seasons for Morning Sittings generally, that the best course is to appoint a Morning Sitting. If Tuesday morning is convenient, I have no doubt that the great body of the House would accede to that suggestion. I hope, if it is generally understand that that course will be adopted, that it will not be thought necessary to prolong this discussion.

MR. ARTHUR O'CONNOR justified the course taken in moving the adjournment of the House on the ground that it would have been impossible to raise the question of the Irish arrests in any other way. He put it to the English and the Scotch Members whether, if the Constitution were suspended in their countries in order that innocent persons might be arrested under *lettres de cachet*, they would not have done the same thing? The right hon. Gentleman, who consulted solely the convenience of the Government in all his Parliamentary arrangements, had given no facilities for the Motion of the hon. Member for Longford (Mr. Justin M'Carthy). When the Bradlaugh question was before the

House, the right hon. Gentleman had proposed a Morning Sitting; but as soon as the Leader of the Opposition had extricated the Government from their difficulty, Northampton became as uninteresting to the right hon. Gentleman as Tipperary. In the meantime, excellent men were arrested on so-called "reasonable suspicion;" but if there was one man more responsible than another for outrage, disturbance, and discontent, it was the right hon. Gentleman himself, who, by limiting the scope of the Compensation for Disturbance Bill of last year to disturbed districts, had practically induced the more peaceable counties to qualify for the extension of its operation. However, with regard to the proposed Morning Sitting on Tuesday, he asked for information on a point of Order, and desired to know whether it was possible at a Morning Sitting to proceed by Notice of Motion without suspending the Standing Orders of the House?

MR. SPEAKER said, that only Orders of the Day were usually taken at a Morning Sitting; but, according to the decision of the House arrived at not long ago, the difficulty might be got over by a Motion being introduced on the preceding evening, and then made an Order of the Day for the following day.

MR. SEXTON said, the right hon. Gentleman the Prime Minister talked of rambling; but his own speech wandered considerably, for he had not even told them why the Catholic clergyman was arrested. If the proposed Morning Sitting were to be of any value for the purpose for which it was designed, the request of the hon. and learned Member for Dundalk (Mr. C. Russell) ought to be complied with. What were they to discuss at the Morning Sitting? Arrests which were shrouded in an impenetrable veil of secrecy. The Government ought to communicate to the House the language or the acts they imputed to the men arrested in Ireland, and hon. Gentlemen could then proceed to discuss that language and those acts. As it was, not even the persons who were most interested knew anything of the causes that led to them. The Government first took away all liberty in Ireland, then stifled discussion, thus denying to the people all mode of examining into the exercise of despotic power. The House was told two months ago that the Coercion Act was directed against the village tyrant and the village ruffian; that it was intended to put a stop to outrage. It had, however, been used for arresting the most respectable people in Ireland, Poor Law Guardians, members of the representative Bodies, until they had made Kilmainham Gaol a place to which it was perfectly accurate to say the love and confidence of the people of Ireland turned. He (Mr. Sexton) was sorry to say that the Prime Minister's references to the speech in which his hon. Friend the Member for Tipperary (Mr. Dillon) announced his intention to bring the question of evictions under the notice of the House did more credit to the ingenuity of the right hon. Gentleman than it did to his candour. He (Mr. Sexton) was present at the meeting in Dublin at which the Member for Tipperary spoke, and the universal impression was that his hon. Friend intended to come over here and to raise the question of evictions on the floor of the House. When his hon. Friend was arrested, public opinion in Ireland wavered between two conclusions as to the reasons which dictated his arrest. One conclusion was that it was an act of Parliamentary policy, and that the Government thought that was a convenient way of getting rid of a troublesome opponent. The other was that in the speech which immediately preceded his arrest he had the temerity to make personal reference to the two right hon. Gentlemen who had taken part in the debate. People in Ireland said that a man might go far in discussing general principles; but that when he made reference to the right hon. Gentlemen who occupied the Treasury Bench, he had better look out for his liberty. He did not know whether the Government, before ordering or sanctioning the arrest of Father Sheehy, had taken the trouble to consider for a moment the intense, the intimate, and sacred nature of the ties that existed between the priests and the people in Ireland; but he thought that even from motives of statesmanship they might very well have considered these ties, and might have considered also that the act which they had done in arresting Father Sheehy was an act the like of which had not been done within human memory in Ireland. English statesmen knew very well that Irish priests had often exposed themselves to unpopularity by their efforts to keep their people within the ways of peace and Constitutional action, even under circumstances of great suffering and great provocation. He (Mr. Sexton) had personal knowledge of Father Sheehy, and was able to boast of the privilege of his friendship. He had been for years a spectator and critic of the share he had taken in public life in Ireland; and he was able to say that Father Sheehy, while devoting his rare intellectual gifts to the service of the Irish people in a spirit of the purest patriotism, and while showing himself solicitous for the general progress of the people, he had always, he thought, shown himself no less solicitous for the peace and tranquillity of society. No step taken in the House, no language that could be spoken in it, could give any adequate reflection of the feeling that would be excited in Ireland by this act of arbitrary power directed against this gifted and estimable gentleman. This act marked the most advanced and the most perilous stage of the policy pursued by the Government. Nothing, he believed, but his sense of the extremity and anger of the suffering people brought Father Sheehy into this present movement. He was arrested, not because he did anything against peace and order in Ireland, but because in the locality in which he lived he was feared by evil-doers—a man whose courage and eloquence made him a tower of strength in the cause of the people. He had been thrown into gaol; and the agent in that locality—who combined the cruelty of a Turkish Pasha with the instincts of a banditti—would be at liberty to exact his rack rents, which Ministers on the Treasury Bench had admitted to be unjust. Her Majesty's Government ought to have reflected on the present convulsed and perilous state of Ireland, never so bad as then, but had, apparenty, not done so; and he (Mr. Sexton) would warn them that they were driving the people to desperation. Unless the Government meant to goad the people beyond the bounds of prudence and legitimate Constitutional action in Ireland, what did they mean by applying such a terrible provocation to the passions of the people as that arrest? The relations between the people and the priests of Ireland were closer than that between any people and priests in the world; and if that were true in a general sense, it was true especially in Father Sheehy's case, than whom there was no man more reverenced or beloved in Ireland. No man or woman in Ireland would believe that he had brought himself under the designation of those who ought to be arrested under the Coercion Act. The Prime Minister told them on what grounds he was not arrested; but they wanted to know on what grounds he was arrested. There was not among the 4,000,000 of people in Ireland one person who would believe that Father Sheehy had said one word which was discreditable to him as a priest, or dishonourable to him as a man. The landlords in Ireland were exercising their powers with the grossest disregard for right and justice; while there were landlords who were incarnate libels upon humanity. Since his last return to Ireland, he (Mr. Sexton) had been able to appreciate the mental condition into which Mr. Dillon was driven by his experiences of the misery and suffering which existed in that country. Unless the Government wished to light and apply the fuse to the magazine of passion which was now before the Irish people, the House had better beware how they gave such provocations as were supplied in the arrest of Father Sheehy. Let them have the opportunity given of discussion. Let them be told for what words Father Sheehy had been cast into gaol. The majority of the House cheerfully and almost gaily passed the Coercion Act, and he had no doubt an equal majority would support the Government in any act they might do; but let them not be mocked by sneering invitations to make Motions which were doomed to defeat, and by irritating references to majorities against whom it was impossible to contend. Let them have the grounds upon which Father Sheehy was arrested, and the Irish Members would be prepared to discuss the question, and to show that it was not in the interests of the Irish people that such a course should be taken.

Mr. T. D. SULLIVAN said, the course of events was precisely that which the Irish Members had predicted when the Coercion Act was being passed through the House. The persons who had been arrested did not at all belong to the class of whom they were told by the Government the Act contemplated the arrest. One of the Irish Members of Parliament had been arrested, then a Catholic priest, and he supposed a Catholic Bishop or Archbishop would come next. Father Sheehy had been arrested only because his liberty had been whispered away by some secret enemy at Dublin Castle; but the right hon. Gentleman the Chief Secretary for Ireland ought to have hesitated before he arrested a Catholic priest upon suspicion and private information. The right hon. Gentleman, if he had ever studied the history of Ireland, would know the story of another Father Sheehy who was executed on false testimony in the year 1766, and who was regarded as a martyr by his countrymen. It would surely have been better not to have awakened these unpleasant memories in the mind of the Irish people. There was no doubt the state of Ireland was rapidly going from bad to worse; and he (Mr. T. D. Sullivan) believed that unless the present Chief Secretary for Ireland were removed from his Office, in which he had so signally failed, and some man of greater stability of character put in his place, the worst consequences would result. Acting, as he did, on the suggestions of the Irish landlords, and carrying out their desires, he believed the Irish people would be driven into a condition of open insurrection. It was vain to address warnings to the Government from that side of the House; for they had shut their eyes to facts that had occurred in Ireland, and they were running into a condition of things which, he believed, they and this country would have reason to regret if much longer persevered in.

Mr. LEAMY rose to address the House, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. LEAMY expressed a hope that the hon. and learned Gentleman the Solicitor General for Ireland (Mr. W. M. Johnson) would undertake, on behalf of the Government, that, at the Morning Sitting on Tuesday, the House would be supplied with full and accurate information as to the grounds on which Father Sheehy and the other men had just been arrested at Kilmallock. Unless the House were furnished with that information, they would have no means of deciding properly whether or not the Executive Government had acted fairly or justly in making those arrests, and nothing valuable would be gained by the discussion. The hon. and learned Solicitor General for Ireland had disappointed them of a speech from him on the Land Bill the other evening, and the least the hon. and learned Gentleman could do was to make up for it by addressing them on the present occasion. The reply to the question of the noble Lord the Member for Woodstock (Lord Randolph Churchill), as to the reason why the Government applied the Coercion Act in the extraordinary way they did, was this. The right hon. Gentlemen opposite (Mr. Bright and Mr. Forster) had both told the House that such an Act would only be tyrannical in the hands of the Conservative Party, and, therefore, instead of arresting people by 200 or 300 at a time, they arrested individuals by ones and twos and threes at different times. If people read in a paper of two or three people being arrested under the Act at Limerick, they did not pay much attention, and did not credit the Liberal Administration with acting tyrannically. At present, the people of Ireland were engaged in a movement to carry out an object which the Prime Minister in his Mid Lothian speeches had declared to be a legitimate object—namely, the expropriation of the landlords. The Chief Secretary for Ireland had expressed great regret that he had been forced to make that arrest; but that was not the first time that an Irish priest had been arrested on the evidence of spies and informers. That arrest would increase the hatred of the people of Ireland against foreign rule; and he felt sure that Father Sheehy would be satisfied to spend his whole life in prison if he could teach the Irish people, as his arrest would certainly teach them, the utter hollowness of the Liberal Ministry's pretences of sympathy and friendship for Ireland.

Mr. R. POWER said, if they were to judge by the conduct of the Government in Ireland, there was little to choose between Conservatives and Liberals. Instead of smothering discontent and crushing agitation by arrests such as that of Father Sheehy, the Government were making a great and fatal mistake. He was well known to possess great influence and authority in the county of Limerick, and was a man whom everyone there respected for his high-minded qualities and intellectual gifts. If there was one man who tried to keep the agitation within the bounds of Constitutional limits and of common sense, Father Sheehy was that man. And yet this man was selected as a victim of the Coercion Bill. By design, or through ignorance, the Government were drawing the people to dangeous courses; but they had learned from their past history that their strength lay in combined action within Constitutional bounds. The Government had been warned that it would be impossible to govern Ireland by Coercion Bills; but their whole system in that country had been a government of force, behind which there was the wretched informer and the miserable spy. He and his Friends regretted that they should have to raise this discussion on a question of Adjournment; but necessity had no law, and until the Government told them the reasons for the arrests of Mr. Dillon and Father Sheehy, it would be their duty to have a discussion upon every arrest which took place in Ireland. He had no doubt it would be inconvenient, and would retard Business; but as an Irish Member he must say there was something higher and more important than even the progress of Public Business, and that was to know the reason why the liberties of an individual, or a nation, were taken away. The priests of Ireland had done much to preserve the people from extreme crimes, warning them especially against the doctrines of Communism and Socialism, and yet it was from this order that the Government had selected one of their victims. By their miserable and arbitrary acts the Government were driving and goading the people to sheer desperation. He deplored those acts, though he believed firmly that never in the history of the country had the British power in Ireland been in a weaker condition than at present. The government of Ireland had been a failure, and it must continue to be so so long as the country was governed against the express wishes of the people.

Mr. BARRY said, that the advice repeatedly tendered to the Government during the passing of the Coercion Bill by the Irish Members had been treated with the contempt which the Chief Secretary for Ireland habitually manifested to the Representatives of Ireland. But he (Mr. Barry) maintained that every prediction made by them on that occasion had been realized. The landlords had, and were then, everywhere exercising their rights in the most cruel manner, and thousands of eviction processes were being served. But how did the Government act under the circumstances? They coped with that system of wholesale and capricious eviction by a system of wholesale and capricious arrest. He charged the right hon. Gentleman (Mr. Forster) with having carried the Coercion Bill through the House upon false pretences. The right hon. Gentleman said the Bill was intended for the village tyrant and the dissolute ruffian; but they had not witnessed any wholesale arrest of rowdies and ruffians and criminals, but the arrest of some of the most respectable men of the country. Merchants, men of the most influential position, members of public bodies, a Member of that House; lastly, to-day, the crowning wrong had come, and a Catholic priest had been arrested—a man of the highest character, who had always been distinguished for his love of order and peace, and who on one occasion had prevented a conflict between the people and constabulary. By that stumbling and blundering course of conduct they would drive the people from despair to desperation. How long was this policy to continue? Did the Government think they were going to put down the Land League? If they thought they could do so, they would make a great mistake. If every member of it was arrested to-morrow, there would be hundreds of thousands to take their place.

Mr. HEALY said, it was quite evident, from the conduct of the Government, that in time there would not be a respectable man in Ireland out of gaol. He regretted that his hon. Friend (Mr. O'Sullivan) had chosen a Friday night on which to move the Adjournment, and that the time of private Members should be taken up by a Motion of the character of the one which the House was discussing. Had he been the hon. Gentleman, he would have chosen the first Government night—and upon this ground, that the more inconvenience they could give the Government, the greater chance and probability there was in Ireland that they would conduct themselves with something like decency. [Mr. Callan:

No, no!] Some hon. Gentleman had apologized for the inconvenience of the Motion. He saw no need for apology, when they reflected how little the Government cared for the convenience of the Irish people, and how they trampled upon all the people held sacred. Whenever any man, be he priest or layman, Member of Parliament or crossing-sweeper, was arrested in Ireland unconstitutionally, they ought to come down to the House and give the Executive Government all the trouble in their power, and, by making Motions of this sort, insist upon the discussion of the matter. As to the right hon. Gentleman the Chief Secretary for Ireland, he (Mr. Healy) would venture to adopt the language towards him used in that House some years ago by the Chancellor of the Duchy of Lancaster respecting Sir Charles Adderley, then a Member of the Government. The Chief Secretary for Ireland was a very dull man, and his policy in Ireland of arresting the most respectable and worthy men in the country was stupidity followed by stupidity. The Government appeared to be determined to single out for imprisonment the most respectable people they could find. But it was a great mistake to suppose that educated men were to be intimidated from doing their duty by threats of imprisonment and punishment. It was Father Sheehy today, and it might be a Bishop or an Archbishop to-morrow. He had the honour of knowing Father Sheehy, and he was prouder of that now that he was in Kilmainham. The First Lord of the Treasury had made the Irish Members what he (Mr. Healy) might call a tortuous offer of a Morning Sitting; but the right hon. Gentleman had given no promise of acting with energy to force the House to consent to such a Sitting. Very different would have been the demeanour of the right hon. Gentleman if the question had concerned an Atheist or blasphemer. Had the Irish Members but known what use would have been made of the Coercion Act, they would have opposed the Bill with ten times more determination than they showed during its progress through the House. His regret was that they had not done so, for no Irish Member should shrink from suspension, if he should incur that punishment for advocating the rights of his countrymen; and he, for one, did not, neither would he care whether he was suspended or not. The Chief Secretary for Ireland had said that the Coercion Act would only be used against men who planned and perpetrated outrages, and that the persons who committed crime and whom he was desirous of imprisoning were "the remnant of the old Riband and other secret societies;" "Fenians who had taken advantage of the present state of things in Ireland," and the *mauvais sujets* of various localities. Father Sheehy most certainly did not belong to any of these three classes. He was a Christian and a gentleman. Neither did Mr. Dillon, nor Mr. Moran, the solicitor. Yet they were the men whom the Government singled out for the honour of cells in Kilmainham. Men were generally impaled upon two horns of a dilemma, but he would give the right hon. Gentleman his choice of three. The right hon. Gentleman, in introducing the Coercion Bill, had said——

MR. SPEAKER said, he must remind the hon. Gentleman that it would be out of Order to quote speeches made during the current Session.

MR. HEALY said, that being so, he hoped there would be no further references to dissolute ruffians and village tyrants in the course of future debates. He should, however, like to know whether he could refer to a Question which he had put to a right hon. Gentleman yesterday? The reason why he wished to do so was because he had to complain of the answers which Ministers gave to Questions asked by the Irish Members. He had asked the Secretary of State for War, whether it was the fact that four pieces of artillery and a flying column had been sent against the peasantry in the county of Limerick, and if he could give the House any news from the seat of war; but the right hon. Gentleman treated it as a joke. He warned the Chief Secretary for Ireland that his answers were deeply taken to heart. They watched the manner in which he attended to local complaints, and they felt keenly such contemptuous replies as implied that the subject was unworthy the attention of the Government or the House. If their complaints were always received in a spirit of levity a most dangerous feeling would grow up in Ireland. He complained of these arrests, not only from the character of the men arrested, but the indignity with which they were accompanied. The hon. Member for Newcastle (Mr. J. Cowen) had spoken of the meanness of the arrest and imprisonment of Mr. Davitt. There was not only meanness, but malignity in the arrest of Mr. Dillon. These indignities had increased the irritation which existed in Ireland, and might yet provoke a storm of passionate indignation against the Government of the right hon Gentleman. If the Government wanted to allay agitation in Ireland, they should not arrest men who had the love, respect, and admiration of their countrymen.

Mr. O'DONNELL thought it would be admitted on all sides of the House that that debate was an unfortunate sequel to the second reading of the great remedial measure, the Land Law (Ireland) Bill; but, at the same time, it was solely and entirely the fault of the Government in arresting a popular Catholic clergyman. Why did not some more sensible Member of the Cabinet warn the Chief Secretary for Ireland of the danger of arresting men like Father Sheehy, because they engaged in the defence of the most sacred rights of their flocks? Was it intended on Tuesday to confine the information vouchsafed to the bald parchment of the Warrant, or would the Chief Secretary, who was now called the "Chief Process-server" in Ireland, have the courage, of which he was always boasting, to give the necessary details by which the action of the Government might be tested? He denied that the Government had any right to say that any language used by Father Sheehy or any other person was to be taken as incriminating himself, unless such language was considered in connection with the context and the circumstances in which the language was used. If this was not done, or if the Government did not give a fair and candid answer for their conduct, the Irish Members would feel themselves justified in reverting to the line of conduct they deemed themselves justified in taking at a time when they believed the Government were willing to act upon the anonymous slanders of informers who held communication with the authorities at Dublin Castle.

Mr. FINIGAN said, he could not remain silent when the conduct of the Government was under discussion for a national offence. He was willing to admit that Government might be misled by their poisoned sources of information; but they were too ready to lend a willing ear to the malicious officials of Dublin Castle. He was, however, surprised that a Liberal Government should have exercised a tyrannous power in a tyrannical manner, and still further so, that they should have acted in such a manner as to have arrested a priest. The Government could not surely forget that to Irishmen, and to Irish Catholics particularly, a priest was a sacred character, and what was done to a priest in Ireland was done to Catholicity all over the world. It was, therefore, highly impolitic on the part of the Government to raise against itself Catholic opinion not only in Ireland, but in England and America, and all the world also, and it would tell against the Liberal Government not only at any bye-Elections that might take place, but at the General Election which the exigency of circumstances might bring about at no very distant period. Why was not Father Sheehy brought up in the ordinary course of law? The reason was, they could not sustain any charge against him, and he was confined upon a vague Warrant, because, like others, he attempted to do his duty to his country. He was the more sorry that this course had been taken now, because he had hoped that we were on the eve of a period of reconciliation between the people of Ireland and the Government of the United Kingdom.

Mr. PARNELL: Mr. Speaker, I wish, before a division is taken, to join my words to those of my Colleagues in deprecation and denunciation of the step which the Government have most unwisely and rashly taken in arresting my esteemed friend Father Sheehy. I have known Father Sheehy for a great many years, and I have never heard him in the course of this Land agitation say anything that could be, in the slightest degree, twisted or interpreted into an incitement to outrage. I think this is one of those unfortunate steps which the right hon. Gentleman the Chief Secretary for Ireland seems to allow himself to be forced into, and which he takes from time to time, without proper forethought and without sufficient premeditation. The Government, during the last week or fortnight, have been urged on by a Tory Press and by a debate in "another place" to use the Coercion Act more extensively than they have done up to the present time. They have yielded to the pressure which has been brought to bear on them by their political opponents, and they have made, in a short interval, a large number of arrests of very respectable men throughout the country. The Government have not used the Act in the way in which they promised the House to use it. They have not arrested a single "dissolute ruffian or village tyrant." In fact, they have been doing everything, in carrying out the provisions of the Act, which they undertook to the House when obtaining the Act not to do, and they have left undone everything which they undertook to the House they would do. They stand convicted, by the result of the working of the Act, of having obtained it under what, practically, amounts to false pretences. One of the speakers to-night said that, if a Conservative Government were in power, the whole of Ireland would be proclaimed under the operation of the Protection of Person and Property Act. I venture to think that if a Conservative Government were in power, they would not have obtained that Protection of Person and Property Act with which they could proclaim the whole of Ireland. Instead of having both sides of the House united against us in assisting the passage of coercion, we should have the Liberals and Radicals who now constitute the Government helping us to obstruct the Government, and helping us very successfully, I have no doubt, to prevent the Government from passing such a severe enactment. The history of former Conservative attempts to enact Coercion Laws for Ireland shows that the Liberals and Whigs, when out of Office, always combined for the purpose of preventing coercion for Ireland; but, when they come into Office, they always combine for the purpose of carrying coercion for Ireland. So that, as far as the matter of coercion goes, I feel convinced that if we had the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) at the head of Her Majesty's Government, we should be without coercion worthy of the name in Ireland, and that Ireland would have every reason to be grateful for the change so far as the absence of coercion is concerned. It has been pointed out that one of the reasons why Father Sheehy has been arrested is that he successfully prevented the eviction of certain poor tenants by forming a combination amongst them. Another of the reasons I believe to be the Reports which the Government have received from a recently introduced stipendiary magistrate, one Mr. Clifford Lloyd, who has been distinguishing himself very much, during the few days he has been in Kilmallock in charge of the police, by his brutal treatment of the unoffending people of the locality. I hold in my hand a letter which I have just received from Father Sheehy, written shortly before his arrest, and he says—

> "Mr. Clifford Lloyd, R.M., is here in his magisterial capacity since Friday. On the evening of his arrival he went through the town, and though an utter stranger here, being an importation from Belfast on the day previous, he insisted on the people dispersing to their homes who were quietly chatting in the street in groups of three and four, as is the wont of people at that time in the town. On their refusing, he proceeded furiously to strike them with his cane, and struck several violently over the shoulders. He subsequently brought out the police, with their shotted guns, and cleared the streets. The police clubbed the people freely with the stocks of their rifles. This riotous conduct on the part of this magistrate was all one-sided, there having been no provocation or resistance of any kind on the part of the people. The whole town is my testimony to the absolute truth of what I here write. The man's demeanour is an insult and a menace to our community, and he is zealously supported by an unfledged sub-inspector and a force of unscrupulous policemen. Their furious wantonness was climaxed last evening. Our local band played some airs through the street, and on its passing the police barracks some few persons in the crowd cheered. Forthwith over a dozen policemen, whom the magistrate had formed into line, in anticipation of the arrival of the band, rushed into the midst of the crowd, and used their batons like so many maniacs on the unfortunate people, who were out merely for recreation. Amongst those was our servant, who went to the post-office with letters from the Presbytery, as is customary with him every evening at the same hour. This man is well known as a quiet, moral, and unoffending person, and the same character is borne by others who were cruelly and wantonly beaten."

It is very unfortunate that one of the penalties of directing attention to outrages on the part of the Government officials in Ireland is in future to be arrested on reasonable suspicion. I can have no doubt that Government must have acted on the report of Mr. Clifford

Lloyd in directing the arrest of this esteemed clergyman. The Prime Minister accused me some time ago of want of courtesy to him. I should be very sorry to be wanting in courtesy to the right hon. Gentleman. I can assure him that, in explaining, I had no intention to show a want of courtesy to him. ["Oh, oh!"] But I would wish to say that perhaps the Prime Minister, before accusing hon. Members on this side of the House of want of courtesy, might direct his own Followers to be more observant of the ordinary courtesy of Parliamentary life than they showed last evening, when they deliberately insulted many of the Irish Members as they were walking out of the House by interjecting remarks of a most offensive and personal character; and as such we passed them by. For my part, I regret that the Government have embarked upon this renewed course of outrage and coercion on Ireland. It will entirely mar whatever effect the Land Law (Ireland) Bill might possibly have as a matter of justice to Ireland, even if that Bill be very extensively amended. The course that you have taken puts it utterly out of your power to say that you have done anything with a feeling of justice to the Irish people, for you are treating them in a way which the high spirit and the sense of the people cannot possibly stand.

Mr. GIVAN said, that he sincerely deprecated the arrest of Father Sheehy, against whose character he was sure nothing could be said. The arrest would create widespread indignation and resentment, not only throughout Ireland, but throughout America and every other part of the world where the Irish people were scattered; for if there was one feeling more indigenous in the hearts of the Irish people than another, it was their deep-rooted respect for the priesthood. He (Mr. Givan) had not the pleasure of knowing the reverend gentleman, but had heard that his life was devoted to the promotion of the best interests of his people. He could bear testimony to the manner in which the priests of the North of Ireland had restrained the people and counselled them against obstructing the remedial measures proposed by the present Government. There was, no doubt, some cause for disaffection and for agitation in Ireland; but, at the same time, he could not but regret that hon. Gentlemen below the Gangway had not met Her Majesty's Government in another spirit, and had not aided them in their effort to carry further the object the Premier had in view in proposing the Bill which became law in 1870.

Mr. O'KELLY said, that his belief was the arrest of Father Sheehy would have a good effect, for it would place in the clearest light the conduct of the Government and the uses they were making of the Coercion Law, which they obtained under false pretences. The professed object was the suppression of violence and the arrest of ruffians, and not such arrests as those now complained of—namely, those persons who were the most respectable and the most respected in their several districts by the people. The right hon. Gentleman the Chief Secretary for Ireland might, as a result of one of these arrests, be complimented on having added to his title of "Buckshot Forster" another with which he would be known by henceforth—namely, "Priest-hunting Forster."

Mr. BIGGAR said, the right hon. Gentleman the Chief Secretary for Ireland had been exceedingly discourteous to hon. Gentlemen, and had exhibited the grossest ignorance on subjects which should have been within his knowledge, and had shown his incompetence for his position. He (Mr. Biggar) contended that the Government had misled the country as to the object of the Coercion Bill, as was proved by the character of the arrests which had been made. He quite agreed in the inconvenience of moving the adjournment of the House at Question time; but, he would ask, what were they to do when Ministers would not give them information which they had a right to obtain? At first, he did think they were men who could be trusted, when the Government came into Office; but as soon as the proposal was made to introduce the Coercion Bill, as soon as the Prime Minister turned his back on the professions he made before the Election, he ceased to have any confidence in any statement coming from the Treasury Bench.

Mr. SPEAKER: The hon. Member is not entitled to say of any Member of the House that he does not believe a statement he has made.

MR. BIGGAR begged leave to apologize for having used the expression, because, as the House knew, he was exceedingly anxious not to use un-Parliamentary language; but they could not surely expect Irish Members to have confidence in a Government such as the one now in power. Why, the Chief Secretary for Ireland was the pet of the Tories of Bradford, and it came with a bad grace for him to pose as an exponent of Liberalism. Nor could Irish Members be expected to place confidence in an Attorney General who was a confidential friend of the late Lord Leitrim, and who had defended the unscrupulous conduct of such men as Mr. Hussey, the agent of Lord Kenmare, and Mr. Townsend, the agent of Mr. Coote.

MR. DALY wished the Government to realize the effect the arrest of Father Sheehy would have on the moderate men of Ireland. It would alienate the Catholic priesthood, to whom the Government had been largely indebted for the preservation of peace. It would be regarded as an outrage on the whole body unless serious ground could be shown for it. In saying that, he did not wish to suggest that a priest should be regarded as in any sense above the law; but he knew that the utterances of Father Sheehy had not been as violent as those of several men who were still at large. The Irish people required to be subject to some restraints, and the persons who had the power to restrain them were the Catholic clergy; but the arrest of one of them would weaken that power. It would rankle in the minds of the people, and all the more because of undue reticence in stating the charge. Taking all things into consideration, he denounced it the more on the part of the Government, when bringing in a remedial measure, to make an arrest which was an insult to the mind and sentiment of the Irish people. It was the bounden duty of the Government to make allowance for the condition of things in Ireland, and he was very sorry for the sake of the peace, which he loved, that such an insult had taken place to the people of Ireland. For that reason he could not but add his protest to the others against the arrest which had taken place.

MR. MACDONALD said, he felt it his duty to protest against this act of retrogression that had been committed by the Government under the operation of the Coercion Act, now that it was in operation, as he protested against it when the Bill was before that House. To arrest one of the priests of Ireland was to do a very dangerous thing, and he did not hesitate to say that it was an outrage on the feelings of the great majority of the Irish people. He also entered his protest against sending down to the South a violent and prejudiced Northern magistrate. Were they, then, come to this, that they had tramp magistrates in Ireland? He was satisfied of the imperfections of the right hon. Gentleman the Chief Secretary for Ireland; but having a very difficult duty to perform he (Mr. Macdonald) would appeal to Irish Members to show more mercy to the right hon. Gentleman, who, like the other Members of the Government, was anxious to give Ireland a good Land Bill, which, it was to be hoped, would settle the question.

MR. WARTON rose to Order. Were they discussing the Land Bill?

MR. SPEAKER said, the hon. Member for Stafford must be aware he could not discuss the Land Law (Ireland) Bill, as it was not then before the House.

MR. MACDONALD, resuming, said, he was not discussing the Land Law (Ireland) Bill, or thinking of such. He was in the hands of the Chair, and felt that if he in any way digressed that he should be told so. He totally objected to be under the ruling of the hon. and learned Member for Bridport, or any other novice that took upon himself the duties of censor of the House. He implored the Government to abandon the course they were now pursuing in regard to arrests. He did not blame the Ministry, but the Executive at Dublin Castle; and he would again ask Irish Members to be more considerate in their treatment of the right hon. Gentleman. ["No, no!"] Hon. Members should treat him kindly; whereas they seemed to be hunting him for his scalp every day. He urged the Government to release the priest, and allow the Business of the House to proceed, in order to promote the peace and happiness of Ireland.

MR. WHITWORTH was greatly surprised that the Government had employed the magistrate whose name had been mentioned. A more dangerous man they could not send to the South of Ireland. His (Mr. Whitworth's) brother, who was a magistrate in Drogheda, told him that if this man were sent to the disturbed districts there would be bloodshed. At the same time, he blamed the Chief Secretary for Ireland for being too lenient. It was his great fault that he was too lenient, and that he had not put his foot firmly enough down. Every man who made a seditious speech ought to be arrested. Members of the Land League posed as the friends of Ireland. He held that there were no greater enemies of Ireland than the Gentlemen he saw opposite. Nothing was wanted so much as English capital in Ireland.

Mr. O'KELLY rose to Order. Was English capital the question before the House?

Mr. SPEAKER: The Question before the House is, "That this House do now adjourn." I am bound to say that it is one of the many inconveniences of this proceeding that it gives the utmost latitude for discussion, and the observations now being made are not out of Order.

Mr. WHITWORTH said, that an immense amount of injury was done to Ireland by the violent speeches of hon. Gentlemen opposite, who were not really friends of their country; but, on the contrary, before three years elapsed, would be considered its greatest enemies.

Mr. M'COAN, as an Irish Protestant Member, said, the more he reflected on the gravity and unwisdom of this act of the Government, the more he felt compelled to add his protest to those which had been delivered by his hon. Friends around him. He did not share all the sentiments which had been expressed by Irish Representatives to-night; but he believed that in the whole course of the Land League agitation and the action of the Government towards it, there had been no more unwise and unstatesmanlike step. He reckoned among his friends many Roman Catholic priests, and there were no persons whom he more respected and admired. The strength of affection and veneration with which the Roman Catholic priest was regarded by the people was intense; and if, even, one of them had been carried away too far, it would have been wisdom in the Government to give him a very long tether. As the right hon. Gentleman the Chief Secretary for Ireland had been in the House for some days, he hoped the direct responsibility for this arrest did not rest upon his shoulders, though, of course, he must share the responsibility with other Members of the Government. He would make a strong appeal to the right hon. Gentleman, and to the Prime Minister in particular, in the interest of peace and of the measure before the House, to reconsider this mistaken step, with a view to the liberation of the priest. As yet, there was still time to repair the harm that might have been done.

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, he wished to enter his respectful protest against the language which had been used by his hon. Friend the Member for Drogheda (Mr. Whitworth), and some other hon. Members with respect to the magistrate referred to, who was not able to be present to defend himself. It was not desirable that a person holding the responsible position which this gentleman did should be described in the unmeasured terms employed by hon. Gentlemen. The magistrate had been described by his hon. Friend, not from his own knowledge, but from report, as a "dangerous character;" but the charge did not appear to be founded on anything more than his hon. Friend's dislike to these public officials. In the case of a man occupying such a responsible position it was a serious thing to make such charges without producing an atom of proof. ["Reasonable suspicion!"] It was not a usual thing, in an assembly either of Englishmen or Irishmen, to abuse a person in the position of the gentleman who had been thus attacked, when it was impossible for him to defend himself.

Mr. J. COWEN said, he would not have risen in this debate if it had not been for the observations which they had just heard from the right hon. and learned Gentleman the Attorney General for Ireland. He (Mr. Cowen) had been in Ireland frequently recently, and he had many opportunities of becoming acquainted with the state of the country, and he must say he entirely agreed with the opinions which had been expressed by the hon. Member for Drogheda (Mr. Whitworth). There was "reasonable suspicion" to say that the person who had been attacked was a political and social firebrand. In whatever district he went he was calculated to excite disorder and animosity. He (Mr. Cowen) did not wish to go further, as it was a mere matter of testimony. When Roman Catholic priests were arrested on a reasonable suspicion, there was at least equal ground for the opinions expressed by the hon. Member regarding the actions of the official in question in Ireland. He would not now go any further into the subject, as it was understood that it would be brought before the House next week; he would only repeat the experience of everyone familiar with the state of Ireland that the actions of the class of men referred to were calculated to embitter and exasperate the feelings of the Irish people.

MR. CALLAN said, he had not intended to take part in this discussion. [*Laughter.*] He wished to refer to the conduct of the hon. Member for Morpeth (Mr. Burt), and to express his regret that the hon. Gentleman should have gone out of his way to sneer at Irishmen to-night. The hon. Member had gone out of his way to laugh and sneer in a way which was very offensive. Such conduct was not creditable to the class of workmen to whom he belonged.

MR. SPEAKER said, that if the hon. Member had to complain of any language used in the House reflecting upon himself or others, he should address himself to the Chair.

MR. CALLAN said, he did complain to the Chair. He was expressing the opinion to the Chair that it was desirable that discussions should be carried on without ill-feeling and sneers, and he thought his complaint was well founded. If there was to be harmony between English and Irish working men, it was desirable that one who was a Representative of working men should not sneer at Irishmen. He was about to say he had not intended to intervene in the debate, because he did not approve the system of moving the adjournment of the House. The abuse had lately become common of that which he held to be the only real check they had upon evasive and contemptuous answers from Ministers. If such Motions were often repeated, he feared the Government might seize upon the opportunity thus afforded for abrogating the privileges of private Members of the House. The right hon. and learned Gentleman the Attorney General for Ireland was an eminent Chancery barrister; but he knew nothing whatever of criminal law. It was notorious in the Four Courts; the failure of the Crown prosecutions last winter showed it. The right hon. and learned Gentleman's ignorance of criminal law was only equalled by the ignorance of the right hon. Gentleman the Chief Secretary of everything appertaining to Ireland. When he (Mr. Callan) was in Ireland, there was unanimity on two points only; one was the desirability of including in the Land Law (Ireland) Bill the jurisdiction of the County Court, and the other the necessity of removing from Office the present Chief Secretary. A Colleague of that right hon. Gentleman, the Chancellor of the Duchy of Lancaster, had made a serious charge against Irish workmen, by suggesting that they were impoverished by superstition, by their observance of the holidays of the Church. The hon. Member for Drogheda (Mr. Whitworth) was, he (Mr. Callan) believed, the informant of the right hon. Gentleman; but he had very lately been in Drogheda, and had ascertained that the Catholic hands at the principal mill in that town, if they went to mass in the morning, came earlier, and worked the usual number of hours, and were paid exactly as on other days. The charge, therefore, was altogether without foundation. With regard to Mr. Clifford Lloyd, the Attorney General for Ireland had described him as a most excellent magistrate; but the right hon. and learned Gentleman could not have spoken from his own knowledge, and those who had better information would have described Mr. Lloyd as a very dangerous character, and as the enemy of all the popular rights of the people of Ireland. Could the right hon. and learned Gentleman corroborate his statement by any specific proof? The right hon. and learned Gentleman said the charges against Mr. Clifford Lloyd were not proved. He (Mr. Callan) asked the right hon. and learned Gentleman to afford an opportunity to the Irish Members of giving specific proof of the charges. Doubtless, Mr. Clifford Lloyd fulfilled, in perfection, the duties assigned to him, and he had the courage of his opinions as the enemy of all popular rights. The right hon. and learned Attorney General for Ireland, on the other hand, changed his opinions with great facility three years ago. In that House he denounced tenant right, fixity of tenure, and valuation of rents; and, in fact, every principle of the Bill which he now supported. He had eaten his words in an unprincipled manner, and apparently with the sole object of retaining his salary.

Mr. BURT said, the hon. Member for Louth (Mr. Callan) had given him a lesson in courtesy, which, no doubt, he was very competent to give; but the hon. Member was quite mistaken in saying that he (Mr. Burt) had sneered at him. He simply laughed because the hon. Member for Louth began the opening sentence of his speech with what appeared to be the usual formula of saying that he had no intention of speaking. His laugh was not meant to indicate any want of sympathy either with the hon. Member, or the attitude which the Irish Members had assumed that evening. In fact, he entirely sympathized with them, and he only regretted that it had been necessary for them to take that course of moving the adjournment. He was one of those few English Members who had steadily opposed the Coercion Act; and whilst he did complain that it had been placed in the power of the Government to arrest anyone on what was called "reasonable suspicion," yet, assuming that the power was justifiable, he rather gave the Government credit for arresting a Member of Parliament and a priest, as it showed that they were no respecters of persons in carrying out what appeared to them to be necessary for the maintenance of order.

Mr. BYRNE contended that it was not the Irish Members, but the Government, who were to blame for irregular conduct, inasmuch as the Government had taken the irregular course of suspending the Constitution. He wished to enter his indignant protest against the arrest of the Rev. Father Sheehy. The event would strike a chord in the heart of the Irish people all over the world, and would damage the Government in their estimation, as the priests had been with the people in every battle they had fought for their Constitutional liberties and rights. The arrest of the rev. gentleman would raise a feeling in Ireland which would not soon be allayed. Assuming that the Land Law (Ireland) Bill was everything that the Irish tenants could desire, the fact of it being accompanied by the arrest of Father Sheehy robbed it of all the grace and advantage it might otherwise possess.

Question put.

The House *divided*:—Ayes 32; Noes 130: Majority 98.—(Div. List, No. 206.)

## *ORDERS OF THE DAY.*

### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

### INTOXICATING LIQUORS ON SATURDAY (IRELAND).—RESOLUTION.

Mr. MELDON rose to call attention to the hours during which houses licensed for the sale of intoxicating liquors in Ireland are allowed to be open, and to move—

> "That in view of the many and serious evils arising from drunkenness on Saturday nights in Ireland, and having regard to the evidence given before the Select Committees of 1868 and 1877, and the recommendation of the Lords Report on Intemperance of 1878, this House is of opinion that the hours during which intoxicating liquors may be sold on Saturdays in the large cities and towns having a population exceeding 10,000 should be materially and immediately shortened."

The hon. Member said, the subject was of considerable importance, and was one which it was clearly within the competence of Parliament to deal. It was not so much a question between the general public and Parliament as between the publicans and the licensed victuallers and Parliament. The licensed victuallers, owing to previous legislation, were monopolists by virtue of various Acts of Parliament, and the hours at which public-houses should be closed were altogether within the discretion of Parliament, which had always regulated the hours during which the business of a licensed victualler should be carried on. The Resolution dealt with a very small point; but, at the same time, it was a point of vital importance. In Ireland the resident magistrates, police magistrates, and persons of all religious denominations were favourable to the closing of public-houses at an early hour on Saturday. It would not be right, he thought, to call upon Parliament to legislate unless a clear case had been made out; but in this instance he contended that the weight of evidence was overwhelmingly in favour of earlier closing. The proposal he wished to make was that on Saturday nights the public-houses in the large towns of Ireland should be closed two or three hours earlier than they were at present—namely, at 8 or 9 instead of 11. He believed that if they were allowed to remain open as late as 9 o'clock it would meet the entire necessities of the case, and he would suggest that that should be the restriction imposed in any measure that might be introduced upon the subject. There was another point he wished also to make clear, and that was that it was not necessary to make the restriction apply to the whole of Ireland. He did not think that the amount of drunkenness which occurred in the rural districts of Ireland was such as to call for legislative interference, and it must further be borne in mind that the places which supplied drink were also the shops where provisions were sold; and there were, therefore, good reasons why restrictive hours, which might usefully be made to apply to the large towns, should not be extended to the country districts. His proposal was that in all the large towns of Ireland having a population of 10,000 and upwards the sale of drink should be restricted by two hours at least, and if possible by three hours, on Saturday night. He wished to prove his case, as far as possible, out of the mouths of his opponents; and therefore he was anxious to call attention to the fact that the evidence which was given before the Lords' Committee on Intemperance, and before the Committee of the House of Commons on Sunday Closing, contained a general admission, even by those who were opposed to Sunday closing, that a large amount of drunkenness took place on the Saturday night, and that the evil would be to a great extent remedied by the earlier closing of the public-houses. The matter was one which was entirely between the licensed victualler and Parliament, for the people had never expressed a desire to have the public-house kept open until a late hour on the Saturday night, and many of those who represented the interests of the licensed victuallers had admitted that they might be closed without disadvantage. The evil which he was principally anxious to cope with was this. The artizan and labourer received their wages on Saturday night, and instead of expending them in providing the necessaries of life for their wives and families, they took them to the public-house, where they found their way into the till of the licensed victualler. The Lords' Committee on Intemperance, which sat in 1877, reported that almost all the witnesses concurred in expressing their belief that by far the greatest amount of drunkenness occurred on the evening of Saturday, and their Lordships followed up their Report by recommending that the hours not only on Saturday, but on all week days in Ireland, should be curtailed. Mr. Woodlock, a most experienced magistrate in Dublin, who had devoted a great deal of attention to the subject, when examined before the Select Committee of the House of Commons on Sunday Closing, said the worst time of the week for drunkenness was decidedly the Saturday night, after the week's wages had been received, and before the wives of the men had been able to get hold of them. Mr. Murphy, the late Member for Cork, one of the most able advocates the publicans ever had in that House, was also in favour of shortening the hours on Saturday. Captain Talbot, an experienced Commissioner of the Dublin Police, believed that the curtailment of the hours on Saturday night would have a good effect. The next evidence was most important, being that of a very clear-headed, shrewd, intelligent, and able man, Mr. Dwyer, who for many years had been engaged in looking after the interests of the licensed victuallers as the Secretary of their Society. Mr. Dwyer said—

> "I may say this much for them—the publicans—that if intemperance and an excess of drunkenness, which undoubtedly do exist much more on the Saturday night than at any other time, could be put a stop to, I would almost undertake for them that they would be willing to consent to that sacrifice."

There was a large mass of evidence to the same effect. Mr. Tighe, Sub-Inspector of Constabulary at Belfast, was examined in reference to certain statistics as to Saturday and Sunday drinking in Belfast. He was asked whether 1,942 persons arrested on Saturday for drunkenness was a large proportion, and his answer was—

> "Unquestionably a large proportion. The drunkenness on Saturday night in Belfast is

something frightful. The publicans keep the public-houses open until the last moment, and the working classes spend the greater part of their money in them. It is a melancholy sight to see the working classes going home on the Saturday night. The arrests made on Saturday night afford no index to the amount of drunkenness which goes on, because the police do not arrest all who go home in a drunken state."

By far the greatest evil to be met was the way in which the working classes squandered their money in the public-houses on the Saturday night instead of taking it home to their families. He might mention one tremendous and startling fact. In the City of Dublin the police had been cautioned not to arrest persons who were merely drunk and incapable on the Saturday night. And why was this? It was because there was not sufficient station accommodation for them in Dublin, and hundreds had been allowed to find their way home who would have been arrested if it had not been for these instructions. Among the witnesses who gave evidence in favour of earlier closing on Saturday night, and as to the enormous amount of drinking which took place on that night, were Captain Talbot, Mr. Woodlock, police magistrate, Mr. Dwyer, Secretary of the Licensed Victuallers Society, Mr. O'Donnell, police magistrate, Mr. Tighe, Sub-Inspector of Belfast, an Alderman of Limerick, Mr. Barry, County Inspector of Constabulary, Mr. Galway, County Inspector of Limerick, several large employers of labour in Limerick, Dr. O'Shaughnessy, father of the hon. Member for Limerick, Mr. Beard, County Inspector of Waterford, and many other witnesses from other parts of Ireland. The whole of these gave evidence in his behalf; and he might add that the hon. Member for Cork (Mr. Daly), while he was opposed to Sunday closing in Cork, was of opinion that the intemperance which took place on a Saturday night was a great evil. At that late hour he would not read further extracts from the evidence, but the whole of it was contained in the Report of the Select Committee; and he challenged any hon. Member who opposed the Resolution to quote the evidence of a single person either before the Lords Committee on Intemperance, or the Select Committee of the House of Commons on Sunday Closing, who objected to a shortening of the hours during which public-houses were allowed to be open on Saturday. On the contrary, it was admitted on all hands that the evil they must grapple with was the drinking which took place on the Saturday night after the working men received their wages. Sunday closing in Ireland had undoubtedly been eminently successful, and he believed that similar success would attend the earlier closing of public-houses on Saturday night. His hon. Friend the Member for Dublin (Mr. M. Brooks) was a most persistent defender of the publicans; but, nevertheless, in answer to an hon. Member who had interested himself in the question of Sunday closing, his hon. Friend wrote a letter stating that—

"Although he honoured the motives of the advocates of Sunday closing, from a sense he had of his own personal responsibilities, he could not vote for them. If there were to be restrictions they should not be confined to the Sunday, but there should be something done to restrict the hours for the sale of drink on Saturday night."

[An hon. MEMBER: Read on.] He had read all that appeared in the Report. If there was anything further his hon. Friend could read it himself. After this expression of opinion on the part of his hon. Friend, he certainly thought he ought to rely upon his hon. Friend's vote in support of the Resolution. The year after the passing of the Sunday Closing Bill his hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) brought in a Bill for the closing of public-houses at 7 o'clock, not in the 16 large towns with a population above 10,000, but all over Ireland. The principle of the Bill was not challenged; but the only plea put forward on behalf of the licensed victuallers was one of delay. It was contended that it was too soon after the hours had been restricted on Sunday to ask for further restrictive measures. Upon that occasion the Bill, which was discussed on a Wednesday, was talked out. Before concluding his remarks he might, perhaps, be allowed to quote a few statistics as to the effect of keeping the public-houses open at a time when the artizans had been paid their wages, and were specially liable to be seduced by the temptations of the public-houses. In the year 1879, there were 30,000 arrests for drunkenness in the 16 large towns of Ireland to which he wished to apply the principle of his Resolution. Out of these 30,000 arrests no less than 10,000, or one-third, took place on Saturday. From 7 to 8 o'clock on Saturday night the number of arrests was 378; from 8 to 9, 462; from 9 to 10, 440; from 10 to 11, 535; and from 11 to 12, 665. From 12 to 1 the number commenced to decrease again, being 377 and so on, down to 161, 62, and 33, until Sunday was fairly ushered in. It would be seen that the largest number of arrests, 665, took place between 11 and 12. The figures were of a startling character, and when the fact was taken into consideration that one-third of the entire arrests for drunkenness took place on Saturday night, he thought the House would feel that there was absolute need for legislation in this direction. He was told that he was proposing to proceed upon wrong lines, and that people could not be made sober by Act of Parliament. He quite admitted that they could not be made sober by Act of Parliament; but, at the same time, the temptation might be placed as much out of their reach as possible. Much might be done even by Act of Parliament towards making the people sober; and to prove this he would quote the Returns of the number of arrests for drunkenness within the last two years, which had been placed on the Table of the House within the last few days. In 1876, the number of arrests for drunkenesss all over Ireland, except Dublin, were 73,118; and in 1877, before the Sunday Closing Act came into operation, they were 71,820. In 1878, after the Sunday Closing Act came into operation, they were 67,898, as compared with 71,820 the year before. In 1879, the number had decreased to 65,477, and in 1880 to 60,386. If these figures did not afford overpowering evidence of what might be done towards making people sober by Act of Parliament he did not think there was any use in figures at all. In Dublin, it must be remembered, Sunday closing did not come into operation altogether—the hours were only shortened; and yet there had been a perceptible diminution in the number of arrests. In 1876, the number of arrests in Dublin was 12,700; in 1877, 14,615; in 1878, 17,018; in 1879, under the operation of the Sunday Closing Act, they were 13,524, or a diminution of nearly 4,000; and in 1880, the number fell to 10,138, or nearly 7,000 less than the number before the Sunday Closing Act came into operation. He had no intention of entering at length into the question of Sunday closing; and he had simply quoted these figures in order to meet the argument that it was impossible to make people sober by Act of Parliament. He thought they showed conclusively that they could do something by legislation towards restraining drunkenness. He could show further, if necessary, that there had been a much smaller quantity of spirits consumed in Ireland since the Sunday Closing Act came into operation than before. The proposition he now made was a very reasonable one, and not more than he had demonstrated to be absolutely necessary. All that he asked the House to do was to affirm the principle that in the large towns where drink was excessively consumed, and where drunkenness took place, and where there were good markets, and plenty of facilities for procuring provisions without resorting to provision shops, which also sold drink, the hours during which the public-houses should be allowed to remain open on the Saturday night for the sale of drink should be curtailed. He did not ask for any extreme reduction. Two hours would be sufficient, and he would be content with closing the public house at 9 o'clock instead of 11. The principle involved in the Resolution had already been affirmed by the Select Committee; and every tittle of evidence was in favour of it. His case had also been substantiated by the hon. Member for Cork, the hon. Member for Dublin, the Secretary of the Licensed Victuallers' Society, the Police Magistrates, the Constabulary, the Irish clergy, and by every man who had seriously considered the question. He hoped that the Resolution would be affirmed, and that the Government would be ready to yield to the express wish of the House on the subject.

MR. CAINE seconded the Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the many and serious evils arising from drunkenness on Saturday nights in Ireland, and having regard to the evidence given before the Select Committees of 1868 and 1877, and the recommendation of the Lords Report on Intemperance of 1878, this House is of opinion that the hours during which intoxicating liquors may be sold on Saturdays in the large cities and towns having a population exceeding 10,000 should be materially and immediately shortened,"—(*Mr. Meldon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. DALY said, he rose to oppose the Resolution, on the same grounds which had induced him to oppose similar restrictions before. His hon. Friend the Member for Kildare (Mr. Meldon) had laid great stress upon the statistics he had quoted; but he thought it was unfair for his hon. Friend to have quoted statistics from a Paper which had not yet been presented to the House, and the accuracy of which the House had no means of ascertaining.

Mr. MELDON said, the Paper from which he had quoted was an official Paper, and had already been laid on the Table of the House.

Mr. DALY said, he had understood the hon. Member to say that the Returns had not yet been presented; and, if he (Mr. Daly) was correctly informed, they were statistics of so recent a date as not to be available to those who wished to resist the conclusions drawn from them. He thought that his hon. Friend laid too much stress upon the diminution of intemperance since the passing of the Sunday Closing Act, as it could be shown that there had been a falling-off equal to or exceeding that exhibited in the consumption of intoxicating liquors in the provision trade, the small grocery trade, and the drapery and other trades. He joined with the hon. Member in his desire to diminish intemperance in Ireland. No one in that House had a greater horror of intemperance than he had; and he had had peculiar opportunities of studying the question, because his attention had been particularly directed towards it, in the City of Cork, in the years 1871, 1872, and 1873. He had always recognized it as one of the greatest evils affecting the working classes, and he had endeavoured to do his best to find out a remedy; but he did not consider then, and he did not consider now that he had had 10 years' more experience, that that remedy was to be obtained by restrictions of this kind. As to the quotations which had been made from the former opinions of himself and others at the time the Select Committee of 1877 was sitting, he wished to call the attention of the House to the conditions under which they were given. It was well recognized by everybody that a large and powerful organization, with a great deal of money behind it, and actuated, no doubt, by good motives, had exercised a great influence on public opinion in regard to the restriction of the hours for the sale of intoxicating liquors. In common with other persons he had given evidence before the Select Committee. He was of opinion that it was conducive to the health and happiness of the working man that he should have the opportunity on the Sunday of obtaining a glass of beer; and, as a concession to public opinion, it was suggested that there should be a limitation of drinking hours on Saturday night in lieu of Sunday morning. He had read the evidence given before the Select Committee, and he believed the quotations read by the hon. Member for Kildare all sprang from the same idea that earlier closing on Saturday night should be accepted as an alternative for Sunday closing. It was so short a time since Parliament legislated that the new law might as yet be considered tentative and experimental. The advocates of Sunday closing claimed that the measure had been successful; but the decision arrived at by the State was that a certain period should elapse before public opinion was brought to bear upon the question again, and further legislation was attempted. He thought that pending the full trial of the present experiment any fresh legislation would be most undesirable, and to justify a proposal of this coercive character it was necessary to prove that a very exceptional state of things prevailed. He had listened carefully to the speech of his hon. Friend, and he had failed to discover any proof of exceptional drunkenness and disorder on the Saturday night such as ought to induce Parliament to extend the legislation already adopted, and which was of a tentative nature. He further complained, in reference to the agitation for early closing on Saturday, that it was fomented, encouraged, provided, and paid for by persons whose liberties would not be affected by it. The majority of the persons who got up the early closing meetings were persons who rarely or never entered a public-house at all. Therefore, although their motives might be the very best and purest, they were not persons upon whose mere dicta Parliament should consent to restrain the liberties and privileges of the working man. The proposal of his hon. Friend was calculated materially to abridge the liberties of the working man as to the means of enjoyment he would possess between the hours of 8 or 9 and 11 on Saturday night. Before the Legislature consented to impose a direct restriction upon the liberties of the working man, it should have incontestible proof that it was needed. So far as the speech of his hon. Friend was concerned, such proof was not as yet before the House. Following the line of the arguments of the hon. Member for Kildare, and listening involuntarily to the *sotto voce* comments of the hon. Member for Waterford (Mr. Blake), who was an equally ardent advocate for teetotalism, he failed to see why they should stop at 8 o'clock, and why they should not close the public-houses altogether. [Mr. BLAKE: Hear, hear!] The hon. Member for Waterford said "Hear, hear!" and really that was the only logical conclusion at which they could arrive. There was no middle course. If they said it was necessary that the working man should be relieved of the temptation of intoxicating liquors, then, to be logical, they must shut up the public-houses altogether. But he held that the country was not prepared for so extreme a measure, nor, indeed, was the hon. Member for Kildare prepared to oppose it. It was important, he thought, for the House to consider whether the opinions of the people whose liberties it was proposed to curtail had been fairly ascertained. The daily life of the lower strata of the community was not a very pleasurable one. A man was at work from Monday morning until Saturday afternoon. He had to support himself and his wife and family by hard labour, to go to bed at an early hour, and to be out of the house again at daybreak. Practically, he had only Saturday afternoon and Sunday for recruiting himself, and it would be a very great injustice and deprivation to tell him that those were the only periods at which he should be unable to enjoy his pipe and his glass of beer because a small and contemptible portion of the class to which he belonged were in the habit of abusing the advantages now secured to them. It was a privilege which the Legislature ought not to interfere with, unless there were exceptional grounds to justify them, and no such exceptional grounds had been proved. There was one matter which had come under his own personal experience, and that was the character of the persons who were usually arrested for drunkenness on Saturday night. He was thoroughly acquainted with the City of Cork, and some years ago he had placed a self-imposed duty upon himself of clearing the Bridewell on Sunday morning, in order to ascertain who the persons arrested on the previous night were. He found that the large majority were habitual drunkards and unfortunate women; and as to producing the reformation of this class by closing the public-houses earlier on Saturday night, they might just as well endeavour to stem the tide of the River Thames with a pitch fork. It was a thing that it was impossible to accomplish, and it was absurd to suppose that by infringing and curtailing the liberties of decent, respectable men, who used the public-house in moderation, they would effect the impossible reformation of the habitual drunkard. He had already mentioned that the Sunday Closing Bill was only tentative and experimental, and until the result of that experiment had been fully ascertained the Saturday night question would not be ripe for legislation. Then, again, in regard to drunkenness, if what they desired was to reform people by Act of Parliament, they must bear in mind that a great deal of the drunkenness which prevailed did not arise in the public-houses at all. He was sorry to say that a great deal of it existed among classes who would not be seen entering a public-house; and he must say that, taking the lower classes, with all the disadvantages they possessed of badly constructed and ill-ventilated houses, and the temptations offered by the public-houses, they were as sober, class for class, as the class immediately above them, and the strata immediately above them again. In legislation so deeply affecting the working man, it was imperative that no hasty decision should be arrived at. He knew that the Resolution would only pledge the House to a principle, and that it would not immediately have the effect of law; but he held that it would be dangerous and unwise to affirm such a principle at the present moment, and that the advocates of Sunday closing should wait until their first experiment and achievement had been tested by its results. If Saturday night early closing was in operation, what was a man to do who wished to take his wife to a concert? It was one of the most refining amusements he could partake of, and when he came away at 10 or half-past, was he to be debarred from having a glass of beer on his way home? Were they to compel that man to become a beer holder; and, as a matter of necessity, to keep drink in his house? He was acquainted with many men who did not keep beer or whisky in their houses, lest it should be a source of temptation to their children and servants; but the same men might very reasonably want refreshment after such harmless recreation as he had described. Then, again, how were they to deal with the theatres? In most of them there was a refreshment bar, and was a man who paid 1*s.* for a seat in the gallery, or 2*s.* to the pit, to have drink up to half-past 11 o'clock, while the poor man, quite as sober and well conducted, who, unfortunately, did not possess the 1*s.*, was to be prohibited from obtaining a glass of beer after 9 o'clock? Surely a workman in Dublin or Cork should have the opportunity of getting a glass of beer after 8 or 9 o'clock on Saturday night. What did they propose to do with him? Were they going to send him home to bed? And then see what they were doing all the while in London. For the convenience of people visiting the theatres, public-houses situated near those places of amusement did not close until half-past 12 on ordinary week nights, and at 12 on Saturday night. Then why should they compel houses similarly situated in Dublin or Cork to close three or four hours earlier? Why should they place a Coercion Act upon the working man because he was an Irishman, and turn him out of the public-house at 8 or 9 o'clock, whereas, if he happened to be in London, he could enjoy himself on the only day he had for amusement until 12 o'clock. There was manifest injustice in this kind of legislation. It was desirable that all their legislation should be in consonance with the wishes and feelings of the people, and they must not give the artizan reason to think that he was subjected to special restrictions. Therefore, before they legislated further in the direction pointed out by the hon. Member for Kildare, it was indispensable that the necessity for it should be proved. He claimed to have a more thorough acquaintance with the feelings of the artizans in the large cities of Ireland than the hon. Member for Kildare; he had no interest whatever, good, bad, or indifferent, in the public-houses; but, regarding the question simply as one of individual liberty, and having paid attention to it for more than 15 years, the conclusion he had come to was that it would be unfair and unjust to debar the respectable and sober working man of reasonable and rational enjoyment on the Saturday night, because a very small percentage of the class to which he belonged made a bad use of the liberty they enjoyed.

MR. W. E. FORSTER said, he did not think that the arguments for and against the Resolution could have been better stated than they had been by the hon. Member for Kildare (Mr. Meldon), who moved, and the hon. Member for the City of Cork (Mr. Daly), who opposed it. There was no doubt whatever that Saturday evening did present to certain classes more attractive temptations to drink than any other time in the week. On the other hand, it was perfectly true, as the hon. Member for the City of Cork had stated, that Saturday evening was a time of relaxation for a large portion of the population when their work was over, and those who were not drunkards might naturally feel that their liberty and opportunity of enjoyment were interfered with by the closing of public-houses at that time. If he were a teetotaller, it would be very easy for him to form an opinion upon the subject, and to say that it was better not to go to the public-house at all. But the question which the Government had to consider, with regard to the Resolution of the hon. Member for Kildare, was how far the closing of public-houses would be fair to the community? The effect of closing public-houses in Ireland on Sundays had proved to be a greater success than many of its advocates had expected. For his own part, he was sanguine of its results, and had been assured that public opinion in Ireland was thoroughly in its favour; and he thought that if that opinion were proved to be as clearly in favour of the present Motion, there might be a shortening of the hours of public-house traffic on Saturdays. A change of that kind might be advantageous; but it was one of those cases in which the Government must not go in advance of public opinion. The Resolution of the hon. Member would, if accepted by the Government, of course, pledge them and the House to immediate action; and they could not, therefore, consistently vote for it unless they were prepared to introduce a Bill dealing with the subject. He could not say he felt certain that the Government would be supported by public opinion in Ireland in doing that; and in cases where the actual repression of crime was not to be dealt with, but simply the consideration of what measures would be beneficial to the community, he was of opinion that no good whatever could be done by acting in advance of the feelings of the public. Therefore, he did not consider it would be in the interest of the measure which the hon. Member advocated if the House were divided upon the Resolution. If, however, the hon. Member proceeded to a division, he should feel it his duty not to vote for it; while, on the other hand, he was glad that the Forms of the House enabled him to vote for going into Supply—that was, for the Previous Question. The matter was one in which the Government must look carefully to the arguments on both sides, as well as to public opinion in Ireland, in order to see how far they would be justified in taking further action. What had already been done in closing public-houses in Ireland on Sundays was in the nature of a strong measure, and one which ought not, in his opinion, to be followed immediately by another measure of a kindred character without very strong proofs that the people were in its favour. Looking at all the circumstances, he hoped the hon. Member for Kildare would not think it necessary to go to a division; but if he did so, he trusted there would be no misunderstanding as to the grounds on which he felt it his duty not to vote for the Resolution.

MR. A. M. SULLIVAN was glad to hear that the right hon. Gentleman the Chief Secretary for Ireland awaited the expression of Irish public opinion upon this subject. That being so, he regarded the question as settled, because he knew what was the feeling in Ireland; and when the Government said they only waited for a fair and proper expression of opinion, as it was the duty of all statesmen to do, he could not but feel hearty satisfaction in witnessing the first stage of this most useful reform in connection with public-houses in Ireland. He would go farther than the right hon. Gentleman had done, and say that men who advocated social reforms of this character committed a lamentable error if they attempted to travel one inch farther than public opinion would warrant; because if they went in advance of the general sentiment in interfering with the habits of the people, unless they had secured the co-operation, not of a mere majority, but of a considerable majority, who were prepared to assist in making a legitimate effort, their moral effort, even when aided by the Legislature, would be a failure. He had all along held this view in the great struggle against the evils of drunkenness, and had always persuaded his friends that it would be a serious error to snatch a victory in the House of Commons upon this question until public opinion was prepared for it. He therefore felt a most encouraging reply had been received from the Government, and congratulated his hon. Friend to whose lot it had fallen to secure so remarkable a step towards the accomplishment of his wishes in regard to this question. He also felt some obligation to his hon. Friend the Member for Cork City (Mr. Daly) for the very reasonable and forcible way in which he had put forward his views upon the subject. That hon. Member was brought into contact with the people in a most intimate manner, and was entitled to consideration for all that he had done in their behalf; but he would not hardly get up and say that Saturday night drinking was not an evil in Ireland in the eyes of the working classes. It was well known to be so. With regard to the argument of the hon. Member for Cork City, that the diminution of the consumption of drink in Ireland was due to the depression experienced in the liquor trade, as well as in other trades, and was not owing to the Sunday Closing Bill, he pointed out that there was greater depression in Ireland during the terrible years of famine—1846-7-8—and yet the consumption of drink had not fallen off. On the contrary, while the industry and trade of the country was at that time perishing, the distillation and consumption of spirits in Ireland went on increasing; because the people sought forgetfulness of the horrors they were exposed to in the delirium produced by drink. At that late hour he would simply express a hope that his hon. Friend the Member for Kildare would be satisfied with the assurance he had received from the Government, and not proceed to a division. Whatever might be the wishes of the working classes, he would never attempt, either in that House or out of it, to force any law upon his countrymen in connection with this subject, unless with their own direct and absolute free choice. He objected, however, to its being said that the working classes in Ireland did not want reform in this direction while they were not trusted to vote upon it; and whether the question was referred to manhood suffrage, or woman suffrage, he was quite contented to accept the result.

Mr. M. BROOKS said, he had hoped the hon. Member for Kildare would have adopted the suggestion of the Chief Secretary for Ireland, and not put the House to the trouble of a division. Had the hon. Member done so, he should not have felt it his duty to address any observations to the House upon the question raised by the Resolution of the hon. Member. He regretted that the hon. Member for Kildare had not read the whole of his letter from which he had quoted, because, if he had done so, it would have shown that when Sunday closing was proposed early closing on Saturday was advocated. At that time a great interest was taken not only in imposing habits of sobriety on the people, but also in the improvement of their dwellings. The hon. Member for Kildare having alluded to the views of the learned Recorder of Dublin, he would read an extract which would show that they were somewhat in accord with that portion of his letter which had not been quoted. The learned Recorder said—

> "Thousands upon thousands of the inhabitants in our great towns, notably in this city, live and die in places where a humane sportsman would be ashamed to whistle forth his spaniel. . . . . . It is preposterous to think that society can be regenerated by sentences of penal servitude or the refusal of spirit licences."

He trusted the House would think he was justified in quoting these observations of the learned Recorder of Dublin for the purpose of showing why his letter, to which reference had been made, was written, and what were the objects which he and others had in view. He could not but sympathize with the efforts of those gentlemen who desired to improve the social habits of the people of Ireland; but he was unable to believe that any good would result from closing the public-houses at 9 o'clock in the evening on Saturdays. The people did not go to bed at 9 o'clock. They remained up, as a rule, till midnight, and if they were not permitted to enter licensed public-houses, they would, in his opinion, be driven to enter houses that were not licensed. Therefore, in the interest of the people of the City of Dublin, he protested against the measure proposed by the hon. Member for Kildare.

Mr. EWART rose with pleasure to give his support to the Resolution before the House, and was only sorry that the hon. Member for Kildare had not brought in a Bill for dealing with the question. They had listened, in the course of the discussion, to a great deal of special pleading, on the part of hon. Members who opposed the Resolution, with regard to the enjoyments of the working classes and the liberty of the subject. For his own part, he was as much in favour of the enjoyments of the working classes as any hon. Member who had spoken on the subject; but he desired to see them supplied in some other place than the public-house. It was well known that in large towns there were other places besides public-houses in which the working man could meet with the enjoyment of society, and to which he could even take his wife to sup after the concert. Seeing that the Chief Secretary for Ireland had appealed to public opinion upon this question, he thought he had a right to express his views as the Representative of one of the largest constituencies in Ireland. At the last General Election this was made a test question. It was a popular question, and he received deputation after deputation from the men, asking him to support the Motion. He promised with all his heart to do so, and explained his views on the subject, and during his canvas the women and the young people were constantly asking what his views were on the subject. When he expressed himself in favour of the early closing he received their blessings, and he believed that the House would have the good wishes of the whole of the constituencies of Ireland if they passed a Bill in the sense of the Resolution. The hon. Member for Kildare had quoted from many influential persons who were in favour of the Resolution, and he himself could quote a great many more; but he thought at that time of night it would not be wise to do so. He would, however, give his personal experience as to the great evil of keeping public-houses open late on Saturday evening. That was a time when money was abundant in the hands of working men, and debauch began on Saturday night and continued on Sunday, to the enormous injury of the men's families, who, in numberless cases, were badly fed and badly clad. The present system was one of the main supports of the monster evil of drinking which filled the gaols and workhouses and lunatic asylums. The Land Law (Ireland) Bill was a very important measure; but it did not deal with a larger question than this Resolution did. There was as much money spent in liquor as in rents in Ireland, and he thought the subject was worthy of a great deal more attention than had been bestowed upon it. His election experience proved that public opinion was greatly in favour of early closing.

MR. LEAMY thought it would have been wiser if the hon. Member (Mr. Meldon) had first ascertained what was the real view of the people of Ireland before moving his Resolution. The hon. Member had stated that Mr. Dwyer was in favour of the Motion; but he understood from Mr. Dwyer that that was not the fact, and that gentleman had referred him to the evidence he gave before a Committee of the House to the effect that the trade would be entirely opposed to the Motion. He therefore hoped the hon. Member would withdraw his Motion.

MR. DAWSON, observing that the periods to which the hon. Member for Kildare had referred were years of depression, expressed the opinion that remedial laws, with regard to the use of liquors, would be useless as long as people remained in the wretched condition in which they were to be found in the crowded towns both of England and Ireland. The practice of sending children and young people for liquor was daily and hourly increasing in Ireland, and while the people remained in such a state of misery as they were at present in they must drown their cares by drinking, and if they were prevented from getting drink at the ordinary places they would have to take it home. Men who had to do physical labour required a certain amount of physical animation, and people living and sleeping in a close atmosphere became prostrate and unable to discharge their physical duties, and they had to seek in alcohol that resuscitation which the bad air rendered necessary. The real and proper way for dealing with this evil was, as the hon. Member for Cork (Mr. Daly) had said, to improve the social condition and surroundings of the people. The Mayor of Cork had erected artizan's dwellings and given the hard working people decent habitations, and it was proved that there was an immense demand for the space and accommodation these houses afforded. It was proved that without imposing any arbitrary laws of teetotalism, no one went to excess, and that morality, decent conduct, and sobriety characterized the people living in those dwellings. He looked to a permanent source of reform such as that with much more hope than to any penal legislation. Sydney Smith had said that to eradicate a vice, a virtue must be set up in its place ; and if hon. Members wished to eradicate the vice of drinking and reform the people, they must give the people some innocent and practical means of pleasure in the place of drinking. He felt very poignantly how severely the people suffered from this evil. Other trades could be carried on with profit, and without danger to society; but the liquor trade could not. The profits of that trade meant the misery of the people, and he thought that the Government should take charge of the trade, of course paying compensation for interests they had allowed to grow up. People must have refreshment, and the Government should take the trade into their own hands, or confide it to Municipalities, so that people might have proper and well regulated enjoyment. The hon. and learned Member for Meath (Mr. A. M. Sullivan), and many other Members, had said that the House had the opinion of the people upon this subject; but they had not the opinion of the people. The Irish artizans had no vote as those in England had, and the best thing that could be done to free the Irish people from excess was to give them the responsibility of a vote. That, he believed, would do far more to lead them to decorous and discreet conduct than any laws such as were proposed. The erection of artizans' dwellings and the promotion of every object for the social improvement of the people had always been matters of deepest interest to him, and such measures would be far more effectual than branding the people of Ireland as incapable of putting restraints upon their appetites. He hoped no such laws would be passed.

Mr. BLAKE said, that as the hon. Member for Dublin (Mr. Brooks) undertook to say, on the part of his constituents, that there was no necessity for earlier closing on Saturday in that city, he (Mr. Blake) requested permission to read some short extracts from the evidence of Mr. Woodlock, a police magistrate in Dublin, on the subject. Mr. Woodlock, from his own experience, as well as the reports made to him by police officers, asserted that on

> "Saturday night drunkenness reigns supreme in Dublin, and it is with that particular time that you have to grapple. On Saturday night the wages of the working men are spent in the most degrading manner that can possibly be imagined. I have heard from police officers that there are parts of Dublin in which nearly every man, woman and child you meet is drunk."

[*Cries of* "No, no!"] Hon. Members who cried "No!" should remember that, in stating this, Mr. Woodlock referred to certain parts of Dublin, very low neighbourhoods it was to be supposed. So great was the drunkenness in such localities that the police found it impossible to make all the arrests that they would have been justified in doing. Mr. Woodlock, on this point, said—

> "They ought to be arrested, but that the arresting of them wholesale would encumber the police stations, and would be impossible to carry out."

He further attributed many of the offences that occurred on Saturdays to drinking, such as husbands beating their wives, sons their mothers, and individuals not related assaulting one another. Many petty larcenies he also attributed to the delinquents trying to obtain money to procure drink; indeed, many attributed their offences in that direction to that cause. Mr. Woodlock further stated that the proceeds of goods dishonestly obtained which were pawned were often found to have been used to procure whisky. He (Mr. Blake) had a good deal of experience of other towns in Ireland besides Dublin, and he believed that what held good with regard to it, so far as concerned the evil effects of drinking on Saturday evenings, might be said of many other towns. ["No, no!"] Hon. Gentlemen might dissent, the truth was often unpleasant; but take similar low localities elsewhere like those described by Mr. Woodlock in Dublin, and he was afraid the same state of things would be found to prevail. Mr. Woodlock was a man of the highest character, intelligence, and great experience, and he made his statement under grave official reponsibility, and what he said was not to be regarded lightly. Hon. Members must be themselves aware how in towns many artizans and labourers were tempted, on receiving their wages on Saturdays, to spend much of it on drink, and that there could not be a greater benefit conferred on them and the class to which they belonged than to pass such a law as would keep them out of the public-house on Saturday nights. It was said that we ought to begin by improving the moral and social condition of the people. Well, he thought nothing could be better in that direction than keeping them out of the public-house. Since Sunday closing there was a decrease of nearly £1,500,000 sterling in the amount of drink consumed, and, no doubt, there would be a still further decrease if the hours for drinking on Saturdays were curtailed. The labouring population would have so much more to spend on food and clothes for themselves and families, and there would be less crime and misery. He went fully with the hon. Member for the borough of Carlow (Mr. Dawson) that if public-houses were shut up some substitute should be found to enable the people who frequented them to meet together for conversation and amusement. Drink abolitionists should do all in their power to provide substitutes in the way of workmen's clubs and coffee palaces, and he was glad to say that the latter were springing up in Dublin and elsewhere. They ought to be sufficiently subsidized until they became self-supporting. It was stated in that debate that it was absurd to expect that people could be reformed by Acts of Parliament. He denied that. There were plenty of instances to the contrary. Men were compelled to be honest and to desist from outrage by Act of Parliament; and there was no reason why they should not be prevented from brutalizing themselves, and bringing those who depended on them to starvation by an Act of the Legislature, shutting up drink resorts during certain hours. The United States and British America afforded the most triumphant proof of the good accomplished by prohibitory Acts of Parliament. He had lately been nearly over the whole of the United States and the Dominion of Canada. In the former he saw many towns and large districts where total prohibition was successfully carried out with the most beneficial results. Over the greater part of the North-West Territory of Canada Local Option had been adopted; and so sensible were the people of the benefits it had conferred that the people of a part of the territory that it was proposed to pin on to Manitoba absolutely refused to be connected with the latter unless the inhabitants consented to abandon the sale and use of drink; and, at the time he was there, a part of Manitoba was about to do so. The hon. Member for Cork (Mr. Daly) had said that he had involuntarily heard him (Mr. Blake) say that he would close up public-houses all Saturday if he could. His hon. Friend was quite right; he had said so, and a great deal more, and that was that if he could he would close the mtotally every day in the week. Drink was the greatest curse to the community that existed; if it could only be abolished, what happiness, prosperity, and morality would ensue! He hoped, instead of applying such small remedies to meet this great and growing evil as Sunday and partial Saturday closing, that the Legislature would meet the strong demand that would soon be made on it to allow the majority of the people, if they thought well of doing so, to put an end to the greatest evil any country could suffer from.

DR. LYONS said, that on the part of his fellow-citizens in Dublin he felt bound to repudiate the exaggerated charges that had been brought against them. He thought such observations carried their own refutation with them, and they were simply an example of that kind of rhetorical flight of which they heard something recently in this House. He was thoroughly conversant with the condition of the City of Dublin, he might say, owing to his avocations, at all hours of the day and night. He regretted to say that the use of intoxicating liquors was too prevalent, but anything approaching the condition of things that had been spoken of could only be described as a wild exaggeration that had no foundation in fact. There was no such thing as corruption of the members of the community by drink to anything like the extent stated. It was a very rare thing indeed to see young persons of either sex indulging in drink. Unfortunately, this was too much the case with grown-up persons. He did not intend at this hour to enter on the many branches of this important question. He would merely say he was one of those who, while a most strenuous advocate of temperance, believed that the extension of temperance among any large mass of the community depended upon their being furnished with a number of conditions for rational recreation which now, unfortunately, they could not command. In his opinion, one of the things of most practical importance was the more general extension of paying wages on the day before Saturday. It was unfortunately the case that wages were to a large extent paid on the Saturday, and the provisions for the Sunday had often to be purchased as late as half-past 11 or 12 o'clock at night. Until some practical remedy in that direction could be adopted, and until it became a general rule to pay wages on Friday, he did not think that much would be done in the way of improvement. Whether it might be desirable in a more advanced state of public opinion to restrict the hours of Saturday he did not say; but any attempt in the present condition of things in Ireland to force on an early system of closing would lead to the extension of what already existed to a great degree—the accumulation of drink at home and in *quasi*-clubs, indulged on the principle that stolen milk was the sweeter. But it was for the purpose of repudiating on the part of the people of Dublin the wild charge that was brought against them by the hon. Member for Waterford (Mr. Blake) that he had thought it necessary to make these remarks.

Mr. SEXTON said, he wished to make one or two remarks on the speech of the hon. Member for Waterford (Mr. Blake). He did not know why a discussion on the liquor traffic, any more than a discussion on any other subject, should generate an unfair and irrational habit of mind; but he had observed that when any discussion on the Irish liquor question arose, it was impossible that it should be conducted at any length without involving gross and offensive charges against the general body of the Irish people. He had lived for many years in the City of Dublin, and during those years had walked on every Saturday night through its streets, and any such statement as that drunkenness reigned supreme was as fantastical a calumny as could be conceived. There were drunken men there as there were in every other city, and when seen they were regarded with as much dislike by the general body of the people. But it was altogether misleading to pick a sentence out of the Report of a police magistrate, who, as likely as not, was a person of a sour and Pharisaical turn of mind, and to quote such a Report as if it had the inspiration and authority of Holy Writ was too much. Just as a policeman was inclined to regard every man as a possible criminal, so a police magistrate, nearly every day of whose life for many years was spent in contact with the degraded classes of the community, came to see society through distorted spectacles, and mistook the condition of a part of that society for the condition of the whole. He would not trouble himself to reply to the statement that there were parts of Dublin where every man was drunk on Saturday night. Whoever originated such a statement must have formed an extraordinary estimate of the credulity of his fellow-men.

Mr. CALLAN said, he had known Dublin for many years, and he also knew the magistrate who had given the evidence referred to. He was one of those angular individuals, whose look, as they say, was enough to turn sweet milk sour. He was a pious magistrate, and was a fitting companion for Mr. Clifford Lloyd. With regard to the hon. Member for Waterford, there was ample refutation of his calumny. Mr. Woodlock said he had had his evidence from the police; but if the hon. Member for Waterford (Mr. Blake) had any other wish in the matter than to utter a calumny against his countrymen; if he had read the evidence of Mr. Inspector Coare, the head of the Dublin police, he would have found it went in an entirely opposite direction to that of Mr. Woodlock. He says—

> "I have heard from the police that in certain parts of Dublin every man, woman, and child are drunk."

And then he says—

> "I speak unpleasant truths. I have personal experience of almost every city in Ireland, and that statement is true."

He said the hon. Member for Waterford should not state that which he knew not to be correct——

Mr. A. M. SULLIVAN rose to Order, and wished to know if it was in Order to impute to an hon. Member that he had stated a thing which he knew not to be correct?

Mr. SPEAKER said, the hon. Member had, no doubt, made the statement hastily, and would see the necessity of withdrawing it.

Mr. CALLAN said, he would withdraw the statement that he knew it to be a calumny; but he ought not to make such a statement that he stated an unpleasant truth. It was not a fact with regard to any city of which he had knowledge, and he knew Dublin, Belfast, Drogheda, and Dundalk. With the exception of Limerick, and Cork, and Waterford, he knew the other cities of Ireland, and he knew that the charge was wholly incorrect. It was one which had no foundation in fact, and he hoped the people of Ireland, and the citizens of those towns, would see who it was that made the false and injurious charge with regard to the citizens of those towns. In the City of Dublin they had the evidence of the unpleasant Archbishop with regard to the Saturday and Sunday closing, and as to why he had changed his opinion from that of former years. He could quite understand the principle of some of his hon. Friends who wanted to close the houses in Dublin altogether; but he must enter his protest against hon. Members getting up in that House and quoting police evidence, and holding that as their justification for maligning their countrymen. He quite understood it in the passing of the Coercion Bill. If they had taken the evidence of the police with regard to that Bill, Irish Members would have passed that Bill with unanimity; but if they were not to take the evidence of the police with respect to outrages in Ireland, why should they place such confidence upon their evidence with respect to Saturday night drinking? As a former citizen of Dublin for five years, he knew that city, and could state that there was not the slightest foundation for the charges made by the sour, disagreeable, and angular individual referred to.

Question put.

The House *divided*:—Ayes 49; Noes 33: Majority 16.—(Div. List, No. 207.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn*.

Supply Committee upon *Monday* next.

## INFECTIOUS DISEASES NOTIFICATION (IRELAND) BILL.—[Bill 40.]

(*Mr. Edmond Gray, Mr. Brooks, Mr. Dawson.*)

### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Edmond Gray.*)

Dr. LYONS said, he would appeal to the hon. Member who had charge of the measure, and to the House, to agree to the postponement of the consideration of the measure at this hour of the morning (1.30). The principal provisions of the Bill were opposed to the wishes of certain of the most important of the learned Corporations in Dublin, and it was at the request of the Medical Association of Ireland that he offered opposition to it. At this hour they should not be asked to make progress with the Bill.

Mr. M. BROOKS hoped the House would allow the Bill to be considered to-night. The opponents of the measure had sprung a mine upon them that was most unexpected; and he thought that, looking at the fact that the chances of private Members were very few, that this was an important measure, and that the public bodies and private citizens in Dublin were unanimously in favour of it, the House would do well to give assent to the present stage.

Mr. MELDON trusted the Bill would not be allowed to go any further. Under ordinary circumstances he should be willing—so far as he was concerned—to allow an hon. Member facilities for going on with a measure; but this matter was too serious to be disposed of at this hour of the morning. The hon. Member for Dublin had said something which had very much astonished him. He had said the public bodies in Dublin were unanimously in favour of the measure. As a matter of fact, there was anything but unanimity on the subject. The Medical Profession in Dublin was divided on it, as also were the private citizens; and in proof of this he might say that he had been requested to propose a large number of Amendments in Committee. He hoped the stage would not be taken now, and, if it was, he was afraid that the proceeding would not conduce to the future progress of the Bill.

Mr. R. N. FOWLER would suggest that the hon. Member in charge of the Bill should persevere with his Motion—"That Mr. Speaker do now leave the Chair," on the understanding that directly the House went into Committee Progress should be reported. In this way hon. Members would have ample opportunity to put down Amendments to the Bill.

Mr. CALLAN pointed out that the Bill had been a long time on the Paper, and that, as there were a large number of Amendments down, it was evident that its provisions had received careful consideration. It was clear that the Government were not opposed to the measure, as the Solicitor General for Ireland made no objection to its being proceeded with. As for the position which the hon. Gentleman the Member for Kildare (Mr. Meldon) had taken up, he (Mr. Callan) could not help saying that it would have been much better for them, and for the interests of their country, if they had spent the time which had just been wasted in the consideration of the hon. Member's abstract Resolution, in the discussion of this measure; and it would have been better for the hon. Member himself to have addressed himself to the subject of the Bill than to the vilification of his countrymen. The hon. Member for Dublin was very attentive in the discharge of his duty, and had supported the Government on every occasion—or with few exceptions—and he was, therefore, glad to see the hon. Member in his place, and hoped he would give all the support in his power to the Bill, especially as the Solicitor General for Ireland seemed ready to go on with his Amendments. He (Mr. Callan) had carefully looked over the Paper; but, although the Bill had been printed a long time, he failed to see any Amendment to it in the name of the hon. and—he might say—learned Member for Dublin (Dr. Lyons). He thought it was incumbent on hon. Members who had the interests of Ireland at heart to go on with their Amendments, and not throw the Bill over until after the Whitsuntide Recess. He trusted the hon. Member for Carlow would proceed with the Bill.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) said, the matter had been for some time under the consideration of the Chief Secretary to the Lord Lieutenant, and, with his concurrence, he (the Solicitor General for Ireland) had placed on the Paper some Amendments which, before he had put them down, he had submitted to one of the hon. Members who had charge of the Bill to see if he could suggest any acceptable modification or improvement of them. He was fully prepared to proceed with his Amendments; but he was not in charge of the Bill. It appeared to him, under the circumstances, that the suggestion of the hon. Member opposite (Mr. R. N. Fowler) was a reasonable one, and that the hon. Member for Carlow would do well to take a merely formal stage now. The object of the Bill was of great importance, the object being not a private, but a public one. The measure was one the principle of which was much required in several parts of Ireland.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after One o'clock till Monday next.

# HOUSE OF LORDS,

*Monday, 23rd May,* 1881.

MINUTES.]—Select Committee—Irish Jury Laws, *appointed.*

Public Bills—*First Reading*—Fugitive Offenders (91).

*Committee—Report*—Local Government Provisional Orders (Poor Law)* (79); Bridges (South Wales)* (83).

*Third Reading*—Elementary Education Provisional Order Confirmation (Clay Lane)* (69); Inclosure Provisional Order (Scotton and Ferry Common* (64); Regulation Provisional Order (Langbar Moor), *now* Commons Regulation Provisional Order (Langbar Moor)* (63); Regulation Provisional Order (Beamsley Moor), *now* Commons Regulation Provisional Order (Beamsley Moor)* (62); Metropolitan Commons Supplemental* (65); Inclosure Provisional Order (Wibsey Slack and Low Moor Commons)* (71), and *passed.*

## FUGITIVE OFFENDERS BILL.

### BILL PRESENTED. FIRST READING.

The LORD CHANCELLOR, in moving that the Bill be now read a first time, said, that in 1843 an Act was passed to furnish means of following fugitive offenders who had committed crimes against the law, either in the United Kingdom or in British possessions, to any place to which they might flee within British Dominions; but that Act was limited to treason and felony, and it also did not contain some provisions which experience had shown to be necessary for accomplishing the purposes it was intended to effect. This Bill was intended to provide more effectual means for arresting fugitive criminals, and returning them to the proper place of trial. It was not limited to treason and felony, and it contained a series of clauses applicable to the Colonies, which provided that criminals escaping from one British possession to another might be followed, and sent back to that from which they came. He would only add that the present measure was the result of careful consideration of the subject, both by the late and the present Government, after communication with the different Colonies; and he felt sure, when their Lordships saw its provisions, they would agree that it was a useful and necessary measure. The noble and learned Lord concluded by moving the first reading of the Bill.

Bill to amend the Law with respect to Fugitive Offenders in Her Majesty's Dominions; and for other purposes connected with the trial of offenders—*Presented* (The Lord Chancellor); read 1ª. (No. 91.)

## IRISH JURY LAWS.

### MOTION FOR A SELECT COMMITTEE.

The Marquess of **LANSDOWNE**, in rising to move—

> "That a Select Committee be appointed to inquire into the operation of the Irish jury laws as regards trial by jury in criminal cases,"

said: My Lords, before I endeavour to state to your Lordships the reasons which have led me to believe that an inquiry into the Irish Jury Laws is not only desirable, but absolutely necessary, I wish to make one preliminary observation. I wish to disclaim the idea that I am here to induce your Lordships to affirm, or to affirm myself, that the system of trial by jury in Ireland has broken down in consequence of recent events. I wish to do no more than satisfy your Lordships that these events have shown that there is cause for an inquiry into the working of statutes of comparatively recent origin, statutes which were much discussed in this and the other House of Parliament, and which, as I shall be able to show, were not regarded by many of the highest authorities as affording a final settlement of this important question. I wish also at this stage of my observations to make an admission which may save trouble to many noble Lords who may follow me. I wish to admit at once that if there has been, as I shall show that there has been, a considerable failure of justice in Ireland, if, as was recently stated by the Prime Minister, out of every 33 persons guilty of agrarian crime in that country, one only is brought to justice, while 32 walk abroad unpunished, I wish, I say, to admit that this failure of justice, if we are to have regard to the number of cases in which it has occurred, is to be explained much more by the fact that it is often difficult or impossible to obtain evidence outside the Court than with reference to any proved delinquencies of the juries themselves. It is obvious that you may have 12 immaculate jurymen; but you will fail in obtaining a conviction if, owing to the state of public feeling, evidence as to the facts is not forthcoming. Upon this point, however, I will venture to observe that, scandalous as may be the deliberate suppression of evidence by those who are in a position to give it, and deplorable as is the failure of justice thus occasioned, the failure is more scandalous still, and the affront to justice more public, and therefore more mischievous, in those cases where evidence has been obtained, but where, from the ignorance or perversity of the jury, the criminal has escaped the punishment due to him. Recent legislation has dealt with those cases where evidence sufficient to secure a conviction is not to be obtained. The inquiry which I ask your Lordships to institute will determine whether there are not other cases in which some remedy is called for to deal, not with the impossibility of obtaining evidence, but with the miscarriage of justice—the returning of improper verdicts, or perhaps of no verdicts at all, owing to the character and surroundings of the persons who, under the present law, are admitted to the jury-box in Ireland. I will not attempt to discuss the origin of the jury system, or to trace its development. I will confine myself to what may be called its modern history in Ireland, which may be said to begin from a period dating back about 10 years. It was in the month of May, 1871, that the noble and learned Lord (Lord O'Hagan), whom I am glad to see in his place, brought this subject under the notice of your Lordships' House. He complained of the existing jury system, and he founded his complaint, in the main, upon two facts. First he complained of the procedure, and then he complained of the existing qualifications for service on the jury. The noble and learned Lord showed to your Lordships that the procedure under which juries were selected was open to objection, upon the ground that the selection was entirely in the hands of the sub-sheriff, and that there were reasons for believing that these officials had in some cases made an improper use of their discretion, with the result that public confidence in the institution of trial by jury had in particular districts been considerably shaken. With regard to the qualifications of the jury, the noble and learned Lord was able to show that the old qualification—a freehold and leasehold qualification—was an obsolete one, and that under it a very limited number of persons were liable to be called on to serve. The noble and learned Lord introduced to your Lordships' House a measure dealing with these two points in the Jury Laws of Ireland; and he proposed, in the first place, to substitute for the old system of selection by the sheriff, a new system of alphabetical rotation of service, and a rating qualification which he fixed at £30. These proposals were very well received, and the Bill passed rather rapidly through both Houses of Parliament. In the Lower House the rating qualification was lowered to £20. Now, it must certainly be admitted that these changes in the law were attended with some good results. The supply of jurors, which had often been quite inadequate, became sufficient; the burden of service was more evenly distributed, and in particular the suspicion which had undoubtedly in some cases attached to the system of selection by the sheriff was got rid of—the suspicion, I mean, that in some instances the juries had been packed for political or other purposes. The Act of 1871, however, had consequences more far-reaching than these. To use the words of the noble and learned Lord, it revolutionized the character of Irish juries by opening the box to a class which had for generations been jealously precluded from any interference with the Courts of Justice. The Act did undoubtedly have this effect. Nor can it be denied that, if in the composition of a jury we are to have regard exclusively to the degree in which the panel represents popular opinion in the district from which it is drawn, the Act of 1871 was a signal success. It may, however, I think, be fairly questioned whether a jury panel is a good one in proportion as it represents the popular opinion of the moment and of the neighbourhood, and whether intelligence, independence, and integrity are not more necessary in the jury than strong local sympathies. At any rate, before the Act had been in force many months a general complaint arose that popular representation in the jury-box had been carried a little too far, and that while the Act had certainly provided an abundant supply of jurors, it had not been successful in securing the presence in the box of men of independence and intelligence, or in excluding persons who were very much the reverse of intelligent, and totally devoid of independence. This, at all events, is certain, that after the passing of the Act some very grotesque exhibitions of ignorance on the part of the new jurors, and some very scandalous failures of justice, attracted a large share of public attention to the question. These misgivings found expression in Parliament, and in 1873 a Committee was appointed to inquire into the operation of the new Act. That Committee almost immediately issued a preliminary Report, recommending certain alterations to which effect was given in a temporary Act passed in the same year. Under that temporary Act the qualification was raised, and illiterate persons were precluded from being appointed to serve on juries. That Committee was re-appointed in the following year, and it issued its final Report in 1874. In that Report it was recommended that the qualification should be permanently raised, and that special qualifications should be introduced with a view of bringing a better class of men to serve on the panel. There was also a recommendation that the procedure should be changed in some respects. The recommendations of the Committee of 1874 were not carried out until 1876, when two Bills were passed through Parliament giving effect to them. The qualification is now a freehold qualification of £10 and a leasehold qualification of £20, with a rating qualification of £40 for land, and varying from £20 to £6 for houses. There is, besides, a "special qualification" clause, under which Commissioners, members of public boards, and other persons holding *quasi*-official positions are liable for service. The noble and learned Lord (Lord O'Hagan) had charge of the new Qualification Bill, and he dwelt particularly on the fact that it was calculated to bring on to the jury a better class, whom he described as persons of "station and wealth," who up to that time had not been in the habit of serving on juries. The Acts of 1876 contain the present Irish Jury Law.

I wish for one moment to pass from these Acts to the evidence given before the two Committees which sat in 1873 and 1874. That evidence contained the opinion of many able men on the subject; and it is impossible to read it without feeling that there existed in the minds of these authorities a very serious apprehension that any system founded on the principles of the Act of 1871 would fail to stand the trial of a period of exceptional difficulty and excitement. That feeling is founded on the anticipation that no merely mechanical selection of the panel under a system of alphabetical rotation would be likely to exclude from the jury-box persons unfit to serve as jurors. Now, when I use the expression mechanical selection of jurors, I am anxious to make my meaning clear, and to do so I will quote a passage from the evidence of Mr. Lefroy, the Chairman of the County of Kildare, who was examined by the House of Commons Committee in 1874. Mr. Lefroy says—

> "I think that the Act making the sheriff as he is now a mere machine is vicious in principle. I think the sheriff should have a certain discretion. I do not mean to say he should have an unlimited discretion, but a discretion with safeguards to prevent its being abused. I am sure it is essential for the due administration of justice, in Ireland especially, that the sheriff should not be bound to pursue the system that the present Act of Parliament suggests, of taking the jurors alphabetically from the jurors' book for his panel. I would in every instance impose on him the duty to return competent men. Now, according to the present system, the sheriff would be bound to return a man in alphabetical arrangement, though he might suspect or even know that he was connected with a Fenian Society."

Turning to the general evidence taken by the Committees, I find that five learned Judges were examined before them, and that of these no less than four expressed opinions adverse to the new system, and in favour of a return, not, perhaps, to the old method of selection by the sheriff, but to selection of some kind for the purpose of excluding persons unfit to serve as jurymen. Ten Chairmen of counties were called as witnesses. Of these, all recommended some changes in the law, while five were in favour of recurring to the principle of selection. Upon another point the opinion of some of the witnesses examined deserves serious attention; several of them, gentlemen whose opinion is entitled to the highest respect, expressed their doubt whether any alteration of the qualification would enable you to obtain from the farming class jurors able and willing to do their duty in the trial of agrarian cases under circumstances of local or general excitement. Thus Mr. G. Bolton, Crown Solicitor for the County of Tipperary, says—

> "I would be very sorry to depend altogether on the farming class to supply proper jurors for such a county as Tipperary. In some cases it was sympathy with the accused, and in some cases the jurors were influenced by being canvassed by the friends and relatives of the prisoner. The common cry now with regard to jurors when they are being called to serve on the jury is—'Go in and free the boys!' I have been told by a very respectable attorney, who has large experience in defending prisoners at the Assizes, that this is a common phrase."

Mr. Murphy, Q.C., Senior Crown Prosecutor for the County and City of Dublin, expresses similar opinions—

> "So far as my experience goes, in any case of agrarian outrage, or even in the case of a faction fight or serious assault occurring between farmers or farmers' sons, and so on, there is very little use in prosecuting in a great portion of the South of Ireland."

I will not trouble your Lordships with further reference to the evidence of these Committees. I do not think I shall misrepresent it if I say that it discloses the extent of the difficulties under which trial by jury operates in Ireland, and the general opinion of the witnesses that without safeguards not yet devised it was not likely to work satisfactorily in ordinary times, or to stand any exceptional strain.

Now, I may be told that the Acts of 1876 were intended to introduce such safeguards; and I have to ask the House to consider how far they were successful in introducing them. My own impression certainly is, that while the difficulties with which we have to contend are greater than they ever were, the imperfections of the law remain the same, or have only been removed to a slight extent. What, my Lords, were the weak points disclosed by the investigations of 1873 and 1874? They were, I venture to think, those which arose out of the merely mechanical formation of the panel, and out of the difficulty of excluding improper persons from the jury-box on the one hand, and, on the other, of attracting to it that better class of juror which the noble and learned Lord desired to enlist. The law has been altered; but I believe that I am justified in stating that, in spite of the sheriff's oath which binds him to return "due panels of persons able and sufficient, and not suspected or procured," the formation of the panel is still very much what Mr. Lefroy described it to be. I believe that it is still impossible to exclude from the jury-box persons entirely unfitted to serve as jurors; and I believe, further, that those "persons of wealth and station," of whom the noble and learned Lord spoke five years ago, still habitually fail to take their share of service on the jury. I should like to say one word in regard to the abstention of those "persons of wealth and station." How does it come to pass that those persons do not take their share in the public service? The procedure of the Jury Act contemplates the liability to service of every such person, and the imposition of a fine upon any person not in his place when called on in the Court to serve. That is the theory; the practice, however, is very different. In the first place, from the limited number of those persons of superior position who are in theory liable to serve on petty juries you must deduct all who are liable to serve on Grand Juries or as special jurors. That weeds out a considerable number of the better class of jurors. As to those who are not taken for the Grand Jury, or for special juries, I fear we cannot disguise from ourselves the fact that such persons are, as a rule, not very anxious to do their duty as jurors, or to be shut up for hours in the box with small farmers and tradesmen for their colleagues, and that many of them make up their minds to shirk service. The simplest way to do so is not to go to Court at all. In such case they are liable to fines, and take their chance of obtaining the remission or reduction of the fines, by sending some plausible excuse for non-attendance. But supposing such a juror does attend the Court. I am told that this is what usually occurs—the juror does not answer to his name when the list is called over; and if a sufficient number answer, a jury is formed and he escapes. If, however, a sufficient number do not answer, the names are called a second time, and fines are imposed on those who do not reply. Now, it is obvious that if the fine is not a very large one it would act as a deterrent only on the humbler class of persons, and that those in a wealthy position would run their chance, knowing almost certainly that by the imposition of a fine the sheriff would be successful in obtaining a sufficient number to make up a jury. Thus, by a sort of natural selection, the better class of jurors are saved from service, and the juries are formed of the residuum of less educated and presumably less qualified persons. This, I believe, is a not unfair description of the working of the Irish Jury Laws. We should then ask ourselves what sort of strain those laws are now subject to, and how they are standing it. I shall be very reluctant to enter at any length upon a discussion of the unfortunate state into which during the last few months Ireland has lapsed; and I am indeed relieved from dealing with it because, only a few days ago, the subject was discussed in this House at the instance of the noble Lord opposite (Viscount Midleton). During that discussion the Lord Privy Seal, a high authority on all that concerns Ireland, said—

> "Noble Lords opposite had not sufficiently weighed the difficulties which any Government in Ireland would have to encounter in dealing with the present widespread combination against the payment of rent. Those difficulties were, in fact, far greater than any which had arisen under the various other organizations which from time to time held sway in the country. The more sanguinary and dangerous Ribbon organization was limited in its area and its numbers; and when certain of its leaders were arrested, as under the provisions of the Westmeath Act, its power was broken. The present agitation was more far-reaching in its effects. . . . From causes lying deep in its history, the peasants and tenants of Ireland were very much in the habit of following each other blindly in any cause, good or bad, which happened to come to the front. The phrase—'We cannot go against the people' was one familiar to everyone acquainted with Ireland."

That statement points to the existence of a widespread and dangerous organization, and of complete demoralization caused by it. We have an epidemic of crime—I think there were about 1,000 agrarian offences in the first four months of the year—an epidemic which has shown dangerous recrudescence during the last few weeks—crime of the kind which Sir George Cornewall Lewis characterized as exemplary or preventive crime—crime the effect of which does not begin and end in the criminal and his victim, but which is designed to enforce by its terrors the unwritten law set up against the law of the land. From that crime no class of society can escape. The noble Lord opposite dwelt upon that peculiarity of the present state of things, and pointed out that even the auctioneer at his desk, the trader at his counter, the schoolmaster at his school, the doctor in his dispensary, are followed up by this remorseless terrorism and the social ostracism, which has been successful in terrifying persons who have known how to hold their own against the mere fear of physical danger. From that state of things are jurors likely to escape unscathed? Can we avoid the conclusion that they, too—drawn, as they are, from the farming class, or from classes intimately associated with it—are liable to the same contagion, the same pressure and prejudice? I do not say this on my own authority alone; I can point to the utterances of Her Majesty's Ministers and of the learned Judges on the subject. I will take, for instance, the description given by the Chief Secretary to the Lord Lieutenant of Ireland. On the 24th of January that right hon. Gentleman said—

> "The Solicitor General for Ireland has alluded to a very flagrant case. We all remember the outrageous and wicked murder of young Mr. Boyd. Even in that case, my hon. and learned Friend had to apply for the postponement of the trial at Waterford, because out of a panel of 205 jurors only 118 answered to their names. And why? Because they dared not come. There were affidavits produced giving the grounds of their fears. I do not expect hon. Members to pay much attention to my opinion on that point; but what did the learned Judge say at the time? 'These affidavits are not contradicted. No man professing to be acquainted with the state of feeling in this city has come forward and made an affidavit as to his belief that this apprehension does not exist in the minds of the jurors, that this sense of intimidation does not prevail, or in any manner to suggest that the statements of belief expressed in their affidavits are unfounded.' The learned Judge, consequently, felt he must postpone the trial, and it was postponed."—[3 *Hansard*, cclvii. 1222-3.]

My Lords, I pass from that to a statement made in your Lordships' House by my noble Friend below me (Earl Spencer) on the 1st of March. My noble Friend said—

> "I am afraid that the same terrorism exercised in the way described in the extracts which I have read has been exercised towards witnesses and juries, so as to render it very difficult to obtain evidence in regard to agrarian crimes, and the difficulty of procuring convictions by juries for those offences is enormous. . . . I have referred to the Judges, and I hold here a very interesting letter, which was written by one of the County Court Judges of a district in Ireland, and which, I think, illustrates very forcibly how completely the law has been paralyzed. The learned Chairman says—'I had to excuse two jurors who were summoned to attend the Quarter Sessions, and who did not attend on the ground that they could not with safety leave their houses; and one of them sent me a copy of a notice alleged by him to have been posted, warning the public not to give him accommodation in any town of the county . . . . These several facts will prepare you for my opinion that in the present state of the county, particularly in the southern portion, the jurisdiction of my Court is paralyzed.'" — [*Ibid.*, cclviii. 1925-6].

Now, the testimony of Her Majesty's Ministers is confirmed by that of the learned Judges who have recently had ample opportunities of forming opinions upon the operation of the Jury Laws in Ireland. The first case I will mention occurred at Limerick on the 8th of July, 1880, before Mr. Justice Barry, who was, I think, Solicitor General when Lord O'Hagan was formerly Lord Chancellor. According to the newspaper report—

> "A jury having failed to agree to a verdict, and having been confined to their room for several hours, were called out shortly before the rising of the Court. Judge Barry asked them whether they believed a certain portion of the evidence. Several jurors answered in the affirmative. Judge Barry—Then you must find the prisoner guilty of perjury. Foreman—But we cannot agree, my Lord. Judge Barry—It is a great disgrace to you and the country. It is no affair of mine, but it might concern those who may find it necessary to amend the laws of the country. Foreman—We cannot help it; we cannot agree. There are some for and some against. Judge Barry—The county of Limerick has become a bye-word in Ireland, owing to the failure of justice which takes place, owing either to men being incapable of understanding the evidence, or determined, for some reason or other, not to act on the evidence. Foreman—Some of the jury perfectly understood the evidence, others did not. Judge Barry—You are discharged."

Here is another case to which I invite your Lordships' particular attention. Before Mr. Justice Fitzgerald, at the Munster Winter Assizes, 1880, a prisoner was tried for posting threatening notices on the piers of the chapel at Tulla, County Clare. Notices had previously been posted and torn down by the police. The chapel was watched, the police being concealed at a distance of 13 paces from the piers, and directly opposite to them. The prisoner was seen to go up to the pier and stop there a short time. The police rushed out; one ran to the pier, and found a freshly-posted notice on it, another caught the prisoner, of whom he had not lost sight for a moment. The prisoner's hands had on them "something like the wet paste used in posting the notice." After an interval of an hour, the foreman intimated that the jury could not agree. His Lordship said—

> "I shall leave the jury in for some time, and if they cannot, or will not, agree, it would be,

> in my judgment, with the present panel of the City of Cork, a solemn mockery to try the case again. There is a power outside which is preventing jurymen doing their duty."

On the last day of the Assizes his Lordship addressed the Grand Jury as follows:—

> "Our joint labours have not been productive of very large results, and I confess that in the course of these cases I felt myself very considerably disheartened on two grounds. First, I cannot shut my eyes to the fact that there have been very considerable failures of justice, and failures of justice that I do not hesitate to say have been produced by external influences operating upon some of the jurors. I expressly say some of them, for I think the great body of the jurors were most anxious for the performance of their duties. But no person of sense can fail to see that there were powerful influences operating upon the minds of others in performing their duties. Mr. Hall and gentlemen, this is a very sad thing; indeed, it is one of the most evil things that could happen for the country, for, after all, our civil rights and our criminal liabilities depend upon the fairness of the tribunal that we call the common jury. But the common jurors will not do their duty. If they will let themselves be operated on in the manner described, we have only to leave to those who are wiser than ourselves—the Legislature—to consider whether there should not be some alteration in the system of trial by jury in this country."

I will take another case. The following is a report of what took place before Mr. Justice Lawson, at Monaghan, on the 12th March, 1880:—

> "Owen Mahon was charged with shooting an idiot. The jury came into Court, and the foreman informed his Lordship that they could not agree to a verdict. His Lordship—Can I assist you in any way, gentlemen. A Juror—We are of opinion that the prisoner did not intentionally commit the crime. His Lordship—There is no doubt in the world about it. If you come to the conclusion that the prisoner shot the deceased you would return a verdict of guilty, for if you believe the evidence it is ample proof of culpable negligence. Now, gentlemen, retire and consider the matter. A Juror—Would your Lordship give us a drink? His Lordship—I would do so willingly if I could, gentlemen, but I am sorry I cannot. The jury then retired, and in about 10 minutes returned to the Court with a verdict of not guilty, and the prisoner was discharged. A Juror—We have been here three days, my lord, and we should like to get off altogether. His Lordship—Oh, the Assises are over, gentlemen, and if they were not over I would not be anxious to have you try another case."

At Limerick March Assizes, Denis Murphy was tried before Mr. Justice Barry for forcibly retaking possession of premises from which he had been evicted. The jury retired. After a considerable absence they returned into Court, when the foreman announced that there was no chance of an agreement. The report proceeded—

> "His Lordship—You say that there is no chance of an agreement, although the prisoner admitted that he had been put forcibly into possession, and that he has retained possession up to this month. Is that so? Foreman—Yes, my Lord. His Lordship—Well, I can only say it is another of the discreditable scenes that we have witnessed during these Assizes. It is now plain that what has been stated all over Ireland is perfectly true, that trial by jury has become a farce, and in the county of Limerick a mockery; and I, as a Limerick man, say with pain, with regret, and with humiliation, that the parties who come into the jury-box in Limerick are perfectly incapable of understanding evidence, or determined, while understanding it, to violate their oaths and not to act upon them. It must be for those who have the guidance of the Legislature of the country to consider this state of things."

At the same Assizes James Walsh was indicted on a charge of having conveyed a threatening message regarding the giving up of a farm to a man named Pat Barry, residing near Foynes. The defence was, that the prisoner was obliged, as stated by himself, at the risk of his life to convey the message in obedience to the command of an armed party. His Lordship said that was no defence. The jury acquitted the prisoner. His Lordship said that had climaxed the extraordinary jury scenes which had taken place at the Assizes. Before Mr. Justice Fitzgerald, in March, 1881, at Tralee, a prisoner was tried for remaining in forcible possession of a farm, and was acquitted. His Lordship, addressing the jury, said—

> "This is your verdict. All I can say is it is a verdict against the evidence and against your oaths, and if this is persisted in it will sweep away the present jury system."

My Lords, I must apologize for the length of these extracts and of my statement; but I was anxious to convince the House that my case rested on no idle apprehensions of my own, but upon facts, to the importance of which we cannot shut our eyes. I have endeavoured to show that, from its very inception, the system of trial introduced by the Act of 1871 has been regarded with considerable suspicion by those best able to judge; that the better class of jurors have habitually abstained from taking their share of service; that the class admitted to serve is very much what it was before the Act of 1876; that under the arrangement by which the panel is selected mechanically and in alphabetical rotation there are no means of preventing improper persons serving; that a system of terrorism prevails in many parts of Ireland, and that the classes from which the jurors are drawn are peculiarly liable to that terrorism. Ministers of the Crown and Judges have called attention to the grievous miscarriages of justice which have occurred. I submit that I have made out a case for the appointment of the Committee for which I move. I will only add that in agreeing to the appointment of that Committee your Lordships will in no way be parties to the expression of opinion that trial by jury ought altogether to be superseded. I will not suggest to the House what alternative measures might be taken to deal with these difficulties; but I will enumerate, without discussing them, the expedients to which recourse might be had. There might be a further revision of the qualification of jurors; further steps might be taken to enforce the attendance of jurors of a superior class who now neglect their duties; it might be found desirable to intrust some official with the power of purging the jurors' list in the manner formerly adopted by the sheriff under the old Acts; recourse might be had more often to the use of special jurors; the venue might be more frequently changed when excitement prevails; the verdict of the majority might be taken, as is done in almost every country on the Continent in criminal cases. If it were demonstrated that steps of this kind are not likely to mitigate the existing state of things, the further question might arise whether the summary jurisdiction of existing tribunals might or might not be increased, or whether, in some cases, and in exceptional and temporary circumstances, they might not be superseded by tribunals constituted for the express purpose of dealing with agrarian crime. The Motion on the Paper ought to commend itself equally to those who are dissatisfied and to those who are satisfied with the existing state of the law. It is only just to the former that they should have the opportunity of giving expression to their criticism; and I have no doubt that the latter will be glad of the opportunity of defending and vindicating the system in which their belief is possibly unshaken. Both sides, I am sure, will have but one object in view—namely, to arrive at the truth. It is because I believe that such an inquiry will assist the public in arriving at the truth that I move the Resolution of which I have given Notice.

*Moved,* "That a Select Committee be appointed to inquire into the operation of the Irish jury laws as regards trial by jury in criminal cases."—(*The Marquess of Lansdowne.*)

LORD CARLINGFORD said, he was glad his noble Friend had done full justice to the merits of the measure introduced by the Lord Chancellor for Ireland (Lord O'Hagan) for the reform of the Jury Laws in Ireland in 1871. Anyone who had looked into the matter, and knew the condition into which the system had fallen at that time, must recognize that the measure of his noble and learned Friend was a most important and valuable reform. The system had fallen into the greatest confusion and weakness. The qualification and numbers of jurymen in most parts of Ireland were quite inadequate to the necessities of the case; in some parts of the country those who were qualified were a mere handful of the population; and in that respect and many others the measure of his noble and learned Friend was a most valuable reform. But the inquiry which the noble Marquess now proposed related to a limited, though most vital, part of the jury system in Ireland—namely, the working of Irish juries under the present law in the case of agrarian crime and in a time of dangerous agrarian excitement; and the Government did not doubt that he had made out a strong case for such an inquiry. The Government were most willing that the inquiry should take place, and would give the noble Marquess all the assistance in their power in conducting it. He therefore thought it unnecessary to trouble their Lordships with many more words. Indeed, he thought it would be inconvenient for any Member of their Lordships' House, and certainly for anyone on the part of the Government, to give expression to their opinion on the Irish jury system in favour of any great change, or against the necessity of any change, in anticipation of this inquiry. He would not attempt to give to their Lordships any such opinion; but he would just remind them of this fact—that two Parliamentary inquiries had taken place since 1871, when the Lord Chancellor of Ireland introduced the subject. Those inquires had been conducted by two most competent Committees, in two successive Sessions, under two different Administrations, and presided over by two Chief Secretaries to the Lord Lieutenant—the Marquess of Hartington and Sir Michael Hicks-Beach. The qualification of jurors, in consequence of these inquiries, was raised, and the last pronouncement on the subject by the last Committee contained an important paragraph to the effect that, in the opinion of the Committee, it was indispensable to secure absolute impartiality in the formation of the jury panel. But although this was the latest pronouncement on the subject, there was no reason why, in the light of recent events, there should not be another inquiry. He only trusted the result of that inquiry might be to enable the Irish jury system to sustain better than it did at present the burden which it was called upon to bear.

Lord DENMAN said, that he thought this was not a time for inquiring as to trial by jury in Ireland, as the Government had full powers, and there was a challenge to the array and as to individuals, and a change of venue might be ordered. The Association for the Amendment of the Law would meet in Dublin in October, and could obtain information and dispassionately consider the subject.

Lord ORANMORE and BROWNE said, he would remind their Lordships of the fact which had been omitted by the noble Marquess, that out of 40 charges of murder there had been only one conviction. The Chancellor of the Duchy of Lancaster (Mr. John Bright) stated, only a few nights back, that more crimes of a barbarous character had been committed in Ireland than had ever disgraced any savage country. It was therefore full time that something should be done, either through an improved jury system or in some other way, to improve the present unfortunate state of things. Crimes of a serious character were doubled within the last month; and, though there were large bodies of military and police in Ireland, they were not allowed to defend themselves, much less the law. The Government had passed Acts to preserve the peace in Ireland, but they were not enforced; and he was sorry to see that Mr. Parnell had shown he was more powerful than the Government, and could carry out his promises while they could not carry out theirs. The Prime Minister himself stated that crime occurred coincidentally with the Land League meetings; yet those meetings were allowed to continue, spreading terror throughout the country. If the Common Law of the land had been enforced, and had these illegal meetings been put down, Ireland would not have been in its present state. He feared it would be of little use to try remedial measures such as those proposed, which only robbed Peter to pay Paul; there must be a fair administration of the law. If the law had been enforced in Ireland as it was enforced in Great Britain, the present state of things in Ireland would not have existed. It was only weakness to be playing fast and loose in this matter. With regard to Griffiths' valuation, it was very unequal; it only took into consideration the value of the land, without regard to its locality. It put no special value on town parks, though their position often increased their value five-fold, or of land on the sea shore, where abundance of seaweed supplied the necessary manure. Yet, unequal as it was, it was the best valuation that existed. Under the proposed Land Bill all rents were to be settled by a Court, on application of tenants; and, pending such valuation, no proceeding for enforcing rent could take place. There were 600,000 tenants, and doubtless, under the Land League organization, these would nearly all apply. The Court, or Courts, would be blocked—decisions could not be given for years, and if they won the case rents would be abolished. Unless this were the intention of Her Majesty's Government, they must settle some basis of rent pending these decisions.

Lord O'HAGAN said, he entirely agreed with the observations of his noble Friend (Lord Carlingford) as to the propriety of appointing a Committee. He also agreed with his noble Friend that, pending the appointment of the Committee, this was not an occasion for discussion. He would, therefore, reserve any observations he might have to make on the subject.

On question, *agreed to.*

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

# HOUSE OF COMMONS,

*Monday, 23rd May*, 1881.

MINUTES.]—Private Bill (*by Order*)—*Second Reading*—Colne and Marsden Local Board *.
Public Bills—*Ordered*—Board Schools (Scotland) Teachers *.
*Second Reading*—Local Government Provisional Orders (Cottingham, &c.) * [162]; Local Government Provisional Orders (Horfield, &c.) * [166].
*Committee*—Customs and Inland Revenue [136]—r.p.
*Committee—Report*—Land Tax Commissioners' Names [126].
*Third Reading*—Local Government (Gas) Provisional Orders * [145]; Local Government Provisional Order (Birmingham) * [144]; Local Government Provisional Orders (Brentford Union, &c.) * [149], and *passed*.

## *QUESTIONS.*

### CONSTITUTION OF THE BOARD OF TRADE.

Mr. GOURLEY asked the President of the Board of Trade, What difficulties prevent the granting the Return ordered by Parliament on the 19th June 1879, relating to the names of the existing members of the Board of Trade, and the memorandum setting forth the order or charter under which members of the Board were originally appointed? Also, When he anticipates being able to lay upon the Table of the House a detailed statement showing how the Board of Trade have disposed of moneys received from the Admiralty on account of the Merchant Seamen's Greenwich Pension Fund?

Mr. CHAMBERLAIN: Sir, the hon. Member put to me a similar Question on the 7th of January, and I am unable to add anything to the answer I then gave him, to the effect that the Order was dropped in consequence of the Dissolution. Of course it could be renewed; but I do not think that any public object would be served thereby, as all the information is already contained in books of reference at present in the Library of the House. As regards the second Question, I am informed that Papers will shortly be laid before Parliament showing the number of seamen to whom annuities have been granted and the amount paid to each annuitant. This will comprise all moneys received by the Board of Trade from the Admiralty.

### AGRICULTURAL DEPARTMENT (INDIA).

Mr. BAXTER asked the Secretary of State for India, Whether any decision has been come to on the proposal of the Famine Commission regarding the establishment of an Agricultural Department, more particularly with reference to the improvement of the agriculture of India; and, whether, as advised by that Commission, an officer has been appointed to initiate the special department which should deal with Famine Administration, and consider and mature schemes of

> "Emigration from those parts of India where the condition of the agricultural labourer has been brought to the lowest verge compatible with continued existence,"

to other localities the natural resources of which are said to need nothing but labour to convert them into sources of plenty?

The Marquess of HARTINGTON: Sir, the Question to which my right hon. Friend refers is the subject of a Correspondence between the Government of India and the India Office. That Correspondence is not yet complete. Perhaps my right hon. Friend will ask the Question at a later period of the Session, when I hope to be able to give him a fuller answer.

### EVICTIONS (IRELAND)—CO. MAYO.

Mr. PARNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. G. A. H. Moore, of Moore Hall, county Mayo, has, since the rejection by the House of Lords of the Compensation for Disturbance Bill, evicted a number of tenants, and, amongst them, one named Stephen Loftus, of Ashbrook, Strard, Ballyvoy, Mayo, whose family numbers eleven, and the rent of whose holding was £8 15*s*., while the Poor Law Valuation is only £4 7*s*. 6*d*.; whether the holding has been in Loftus's possession and that of his forefathers for one hundred and ten years; whether he has been left by the eviction without any employment or means of living; and, whether he will consider the desirability of advising the insertion of such clauses in the Land Law (Ireland) Bill as will protect this class of tenants?

Mr. W. E. FORSTER: I must ask the hon. Member to postpone this Question. I have not been able to get all the particulars. The man referred to was a sub-tenant, and he was evicted for non-payment of rent. There appear to have been five tenants and four sub-tenants.

MR. PARNELL: Does the right hon. Gentleman know whether Loftus was evicted by Mr. Moore; or by the tenant?

MR. W. E. FORSTER: That I cannot tell.

## FISHERIES—EAST COAST FISHERIES—THE NORTH SEA—OUTRAGES ON BRITISH FISHERMEN.

MR. BIRKBECK asked the Secretary of State for the Home Department, Whether his attention has been called to the report of Mr. W. H. Higgin on the outrages committed by foreign upon English fishermen in the North Sea; and, whether Her Majesty's Government intend taking any steps with regard to obtaining a convention between England, France, Belgium, and Holland, which is so urgently required? Before a reply was given to his Question he begged the permission of the House to read the following telegram from Messrs. Capps, of Lowestoft:—

> "The 'Warrior,' belonging to us, fishing last night, 30 miles off Lowestoft, had 15 nets and ropes cut away by a foreign trawler. Believe done with 'Belgian devil.'"

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have communicated with the Governments of France, Holland, and Belgium with a view of dealing with this matter; but they have not yet received a reply to their communications.

## EVICTIONS (IRELAND)—CO. TIPPERARY.

MR. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that since the rejection of the Compensation for Disturbance Bill by the House of Lords, the Rev. Edward Denny Lynch, a landlord owning property in Tipperary, has evicted among other tenants a person named Thomas Slattery, from a farm at Milltown, near Tullamore, Fethard, Tipperary; whether it is a fact that the rent of the farm was sixty pounds, while the Poor Law valuation was thirty-five pounds; that the farm had been for thirty-six years in the occupation of the Slattery's; that Slattery has no other employment or means of living than that given him by his farm, and that his family are nine in number; and, whether, if these are facts, he will endeavour to have a Clause introduced into the Land Law (Ireland) Bill to prevent such evictions in the future?

MR. W. E. FORSTER: Sir, I think the hon. Member is under a misapprehension as to the date of this eviction. This occurred on the 6th of June, 1879, before the existence of the Compensation for Disturbance Bill. I believe that the rent was £60, and the Poor Law valuation £40. It is true that Slattery had no other means of support—no employment, and that he depended on the farm. He was admitted a caretaker on the 20th of August, 1880.

MR. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that, since the rejection of the Compensation for Disturbance Bill, the Rev. Edward Denny has evicted a tenant named Dennis Dooley from his holding at Milltownmore, Tullamaine, Fethard, co. Tipperary, for arrears of rent; if the rent of said tenant was £95 and the valuation of his farm £47 per annum; and, if the farm was in possession of the family of the said tenant for a period of about seventy years?

MR. W. E. FORSTER: Sir, I have no doubt the land owner was the gentleman described. The name of the tenant was, I think, Dennis Loomy, not Dooley. He also was evicted in June, 1879. I believe the Question is accurate in other particulars.

MR. JUSTIN M'CARTHY said, the last part of his Question had not been answered.

MR. W. E. FORSTER: Sir, it is not customary to state, in answer to a Question of this kind, what steps it is intended to take with regard to a Bill before the House. I must remind the hon. Member that the Minister in charge of the Bill is the Prime Minister.

## COPPER AND COPPER ORE—RETURN OF EXPORTS AND IMPORTS, 1880.

MR. W. CORBET asked the President of the Board of Trade, If his attention has been called to a Return issued to Members on Wednesday the 18th instant, "of all Exports and Imports of Copper and Copper Ore, &c." for the year 1880;

whether he has observed that Ireland is not credited with any exports whatever; whether he is aware that the "Wicklow Copper Mine Company," incorporated under the Act 26 Vic. c. 209, have for years carried on mining operations and exported ores from the port of Arklow; whether such exportations have now ceased altogether; and, if not, whether he can state what is the reason for omitting all mention of them from the Return in question?

Lord FREDERICK CAVENDISH: Sir, as this Return is prepared by the Customs Department, I have to answer the Question on behalf of the Treasury. If the hon. Member will look again at the Return, he will see that it only professes to give the exports and imports from and into the United Kingdom. It does not profess to include removals coastwise, or from one part of the United Kingdom to another. I have no knowledge whether or not there has been copper or copper ore sent from Arklow to England; but if there were it would not appear in this Return.

## POST OFFICE—COLLECTION OF ASSESSED TAXES.

Baron HENRY DE WORMS asked the Postmaster General, Whether, having regard to the far greater convenience of the public, and to the saving which would be effected to the State, he will consider, in conjunction with the Board of Inland Revenue, the expediency of using the machinery of the Post Office for the collection of assessed taxes?

Mr. FAWCETT: Sir, the Question concerns the Board of Inland Revenue and the Treasury rather than the Post Office; but if either of these bodies have any representation to make to the Post Office on the subject I need not say it will be carefully considered.

## VETERINARY DEPARTMENT (IRELAND) —VETERINARY INSPECTOR AT LONGFORD.

Mr. LITTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Local Government Board is aware that the order made by them, and transmitted to the Longford Board of Guardians on the 3rd February last, directing them to appoint a duly qualified veterinary inspector, as required by the Act of Parliament, has not been complied with; and, will the Local Government Board take steps to compel the Board of Guardians to comply with the Act of Parliament?

Mr. W. E. FORSTER: Sir, I find from inquiry that the order was made by the Local Government Board, and transmitted to the Board of Guardians. The present Inspector has been acting since 1878, and has been re-appointed from time to time. The Board of Guardians expressed full confidence in his efficiency, and stated that when last appointed there was no answer to the advertisement issued by them offering to accept the post on their terms, and they think it desirable that his services should be retained. There is an order under the Contagious Diseases (Animals) Act, that if from any sufficient cause it is desirable to appoint a person, the Lord Lieutenant may authorize the local authority to appoint a person not having the qualification of Veterinary Inspector, and it appears there was no other course to adopt in this case.

## ARMY—THE 58TH REGIMENT.

Colonel DIGBY asked the Secretary of State for War, If it is the case that the 58th Regiment, which behaved so gallantly and suffered so severely at the action of Laing's Nek, is about to be sent to the unhealthy island of Mauritius?

Mr. CHILDERS: I think, Sir, that the House will agree with me in deprecating any interference by the House of Commons with the military authorities in the selection of particular regiments for particular duties. Three companies have to be detailed from the regiments in South Africa to form the garrison at Mauritius, and the selection which the general officer commanding has made is approved by his Royal Highness and by myself.

## ARMY RETIREMENT—WARRANT OF FEBRUARY 5, 1880.

Mr. COBBOLD asked the Secretary of State for War, Whether it is the case that the provisions of Her Majesty's Warrant of 5th February 1880, allowing officers to count service given under the age of twenty as qualification for beneficial retirement, have, under that Warrant, retrospective application in the case of officers who had left the Army between the 13th of August 1877 and 5th February 1880, after completing twelve year' service, above the age of twenty, but have not such retrospective application in the case of officers who had left the Army between those dates, before completing twelve years' service above the age of twenty; whether, if this is the case, the distinction in this respect between the two classes of officers was intentionally made; and, if so, on what grounds, and whether he considers the ground for such distinction sufficient; and, whether he will take into consideration the propriety of extending the privilege of counting service given under the age of twenty as qualification for beneficial retirement to officers who left the Army between the 13th August 1877 and the 5th of February 1880, before completing twelve years' service above the age of twenty?

Mr. CHILDERS: Sir, the Warrant of the 5th of February, 1880, to which the hon. Gentleman refers, undoubtedly has the effect expressed in his first Question; but, as I am not responsible for that Warrant, which was issued on the advice of my Predecessor, I cannot venture to say what intentions may have passed through his mind. I have, however, received representations urging relaxations of the Warrant in the sense of the hon. Member's third Question; but at this moment I cannot say whether or not they will be complied with. Questions of the retrospective effect of new regulations are among the most difficult I have to deal with.

## ARMY—THE FORTHCOMING ROYAL WARRANT—OFFICERS PROMOTED FROM THE RANKS.

Major O'BEIRNE asked the Secretary of State for War, Whether his attention has been called to the fact that officers who have been promoted from the ranks will be most injuriously affected by the Royal Warrant intended to take effect on the 1st July next, as these officers seldom obtain promotion to the rank of commissioned officer until over thirty years of age; and that, as many of them have only two or three years' service, they will be compelled to retire without a pension?

Mr. CHILDERS: Sir, I have not lost sight of the point raised by my hon. and gallant Friend, and when the new Warrant appears he will see that both as to officers now serving who have been promoted from the ranks and also as to officers hereafter so promoted, full provision has been made, insuring them sufficient pensions.

## TELEGRAPH ACT, 1868—POSITION OF TELEGRAPH CLERKS.

Mr. BIRKBECK asked the Postmaster General, Whether he will be able to make any statement with regard to the position of the telegraph clerks before the Whitsuntide Recess?

Mr. MACLIVER asked the Postmaster General, If his attention had been called to the opinion given, on the 19th instant, by Mr. Attorney General, defining the legal *status* of the telegraph clerks, and whether he would adopt and act upon it?

Mr. FAWCETT: Sir, some days ago I submitted certain preliminary propositions to the Treasury on the position of the telegraph clerks. These propositions are now being considered by the Treasury in connection with the Post Office; and I can say on behalf of the Treasury, and on behalf of the Post Office, that we are both most anxious to arrive at a decision as soon as possible. As soon as a decision is arrived at I shall make it known. With regard to the Question of the hon. Member for Plymouth (Mr. Macliver), I am sure the House will see that that is a matter with regard to which I ought to have Notice.

## PRISONS (IRELAND)—GOVERNOR OF LIMERICK GAOL.

Mr. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Eager, Governor of the Jail of Limerick, in which several persons are at present confined under the provisions of the Coercion Act, is the same Mr. Eagar whose conduct was brought under the attention of the House of Commons on June 1, 1869, by the late Mr. George Henry Moore, and who on that occasion was stated by Mr. Moore to have harshly and cruelly treated Mr. W. H. O'Sullivan, while imprisoned in the said jail, detaining him for fourteen days before he was allowed to see a solicitor, twenty-eight days before he could write a letter, and one hundred and twenty days before he was allowed to see his wife and children, leaving the said Mr. O'Sullivan with insufficient clothing at night, compelling him to wash filthy basins, to drink from filthy vessels, and to walk round a ring in the prison yard in silence, Mr. O'Sullivan being a political prisoner never put on his trial either before or after his imprisonment; whether, in the course of the same Debate, Mr. Chichester Fortescue did not admit that Mr. O'Sullivan was treated "with an amount of severity which was beyond the necessity of the case;" whether the same Mr. Eager did not punish the slightest breach of the silent system by the political prisoners with bread and water for forty-eight hours; and, whether in view of these circumstances, it is in accordance with the present treatment of political prisoners to commit the charge of untried prisoners under the present Coercion Act to persons exposed to such charges?

MR. W. E. FORSTER, in reply, said, that he had really answered the first Question already. Mr. Eager was now Governor of the Limerick gaol, and his conduct was brought under the attention of the House in 1869. But the hon. Member quoted a speech of the then Chief Secretary for Ireland, and he (Mr. W. E. Forster) felt bound to call attention to a few words that went before and after that quotation. Mr. Chichester Fortescue had said that it was

> "Unnecessary for him to go fully into Mr. O'Sullivan's allegations, but, after careful inquiry, he had ascertained that there was a large amount of exaggeration in his representations. At the same time his apprehension was that there was an amount of severity beyond the necessity of the case."

Then Mr. Chichester Fortescue also made use of the words that it was

> "Worthy of remark that neither Mr. O'Sullivan nor any other political prisoner made any complaints of treatment whilst in prison."

He (Mr. W. E. Forster) quoted those remarks, because the hon. Member had only given part of Mr. Chichester Fortescue's observations. He had no wish to attempt now to go into the case, which happened in 1869; but, having looked carefully into the matter, there was no doubt that the prison regulations of that time were such as to require considerable change, and changes had been made at the time of the passing of the Westmeath Act. He did not think that in the case alluded to any special blame attached to the Governor. But he wished to state with regard to the present position of affairs that the Governor was under the supervision of the Executive Government, and that the regulations were very strict in the matter. There had been no complaint against anything that the Governor had done.

MR. T. P. O'CONNOR wished to know, Whether Mr. O'Sullivan had not written to the public Press challenging Mr. Chichester Fortescue to prove that there had been any exaggeration in the statement of his case; whether the right hon. Gentleman's attention had been called to statements in *The Freeman's Journal* as to the treatment of prisoners; and whether for 20 out of the 24 hours, prisoners were confined in a cell 12 feet by 6 feet?

MR. W. E. FORSTER, in reply, said, he declined to go into a case which happened in 1869. With regard to what was going on at the present time, he had answered a similar Question a day or two ago. He had no complaints brought before him. He could not take notice of complaints appearing in newspapers without any responsible authority. The orders were that any complaints made in the usual manner would be thoroughly and immediately investigated.

## PEACE PRESERVATION (IRELAND) ACT, 1881—LICENCES TO CARRY ARMS.

MR. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the refusal of certain magistrates in Ireland to grant licence to carry arms to respectable persons on the ground that they had attended Land League meetings; and, if so, whether the Government approve of the action of such magistrates?

MR. W. E. FORSTER, in reply, said, that he had practically answered that Question a few days ago. Under the Peace Preservation Act magistrates were bound to exercise a discretion in any case brought before them. He must decline to lay down any general rule on the subject. If any person felt aggrieved, he had the remedy of applying to the resident magistrate himself.

## POST OFFICE—THE MAILS IN ARGYLLSHIRE AND THE NORTH OF SCOTLAND.

MR. MACKINTOSH asked the Postmaster General, Whether he has concluded any arrangements for expediting the mails to and from Inverness and the North of Scotland, in consequence of the numerous representations made on the subject?

Mr. FAWCETT: In reply to my hon. Friend, I have to state that no arrangements have yet been concluded; but the negotiations are now being completed.

### EDUCATION DEPARTMENT—HIGHER EDUCATION (WALES).

Mr. HUSSEY VIVIAN asked the Vice President of the Council, Whether he can state when the Report of the Departmental Committee on Higher and Intermediate Education in Wales will be received?

Mr. MUNDELLA: Sir, I have communicated with the Commissioners on Education in Wales, and I am informed that the labour attending the collection and arrangement of the materials and statistics necessary for the preparation of the Report and the examination of the vast amount of supplementary information furnished to the Commissioners during the progress of their inquiry has proved far greater than could at first have been anticipated. The task of arranging these materials is now nearly completed, and the Commissioners hope to be able shortly to present their Report.

### LAW AND POLICE—ALLEGED OUTRAGE AT GREENHITHE.

Mr. DAWSON asked the Secretary of State for the Home Department, Whether his attention has been directed to the statement contained in a circular of the 12th May 1881 from Mr. Samuel Charles Umfreville, of Greenhithe, to the following effect:—That some years ago, in consequence of his having obtained a true bill from the grand jury against the proprietors of cement works, the people of the works assembled with bands and having banners representing himself and his solicitor in the agonies of death. That the result of these demonstrations was that his wife was killed by the blow of a stone received at her own gate. That the perpetrator was never discovered. That persons who had signed affidavits in favour of the claims of a poor widow to compensation, were visited by crowds and intimidated and prevented from giving evidence; if he can inform the House if the banners referred to were seized and destroyed by the police; and what steps, if any, were taken to apprehend persons reasonably suspected of intimidating and inciting to violence and murder; and, whether the perpetrators have been since brought to justice?

Sir WILLIAM HARCOURT, in reply, said, he believed the events referred to were stated to have happened about six years ago. It was not easy to obtain information about circumstances which took place so long back; but, as far as he had been able to ascertain, the facts stated in the first part of the Question were without foundation. No banners, therefore, were seized or destroyed, nor had there been apprehensions of persons reasonably suspected.

### THE STANDING ORDERS OF THIS HOUSE.

Mr. THOMASSON asked the First Lord of the Treasury, Whether he can undertake at the commencement of the Session of 1882 to submit the Standing Orders for the consideration of the House, with a view by their revision to economise the public time?

Mr. GLADSTONE: Sir, we have not yet made sufficient progress in the present Session to enable me to make a categorical declaration as to what we may or may not do at the outset of next Session. But I must say that, with that reservation, I am of opinion that the condition of the House with regard to its arrangements for conducting Business now constitutes a public question of the first magnitude, requiring the earliest attention as soon as the state of Business will permit.

### POOR LAW (IRELAND)—ELECTION OF POOR LAW GUARDIANS AT BELFAST.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the manner in which the annual election of Poor Law Guardians for Cromac Ward, in the Borough of Belfast, has been conducted for the present year; if it be true, as disclosed in evidence before the magistrates at petty sessions, in Belfast, on the 13th May instant, that the policeman entrusted with the delivery and collection of voting papers at said election was guilty of grave neglect in the discharge of his duty, by failing to collect voting papers in the houses of several of the streets in which he had laid them down, and in other districts having called at the residence of the voters at ten or eleven o'clock at night, when many of them had retired to bed; if it be true that the policeman in company with Mr. James R. Christian, one of the successful candidates, under their system of election, entered a public-house in the said ward, and partook of refreshments, and whilst thus regaling themselves, is it true that the parcel of collected voting papers then in the constable's possession were opened, examined, and altered by the said Mr. Christian, or one of his agents, who was also present; and, if any or all of these assumptions be accurate, will he take into consideration the form in which the last election for the Poor Law Guardians for Cromae was conducted?

Mr. W. E. FORSTER: Sir, the Vice President of the Local Government Board informs me that there appears to have been some irregularity in distribution in connection with the voting papers; but the Board do not think that they should exercise their powers under the 23rd section of the Act 67 *Vict.* c. 92. I requested a communication from the Inspector of Constabulary in Ireland with reference to the misconduct of the police-constable on the occasion. I have not yet received his Report, and therefore I cannot say whether it will be necessary for me to bring the matter under the notice of the Local Government Board or not. I perceive, from the newspaper report referred to, that the magistrates before whom the police constable was brought on the charge of neglect acquitted him.

## BALLOT ACT—THE ST. IVES ELECTION.

Sir HENRY PEEK asked Mr. Attorney General, Whether his attention has been called to the circumstances attending the declaration of the poll at the late St. Ives election:—

> "The result of the polling was in the first instance declared as follows:—Ross (Conservative) 517, Pendarves (Liberal) 395; majority 122. This result took both parties by surprise, and it was at once openly declared that some mistake had been made in the counting. So strong was the feeling in the matter that the returning officer directed another counting of the votes, and the correct numbers were then found to be:—

| | |
|---|---|
| Ross . . . | 462 |
| Pendarves . . | 360 |
| Majority . . | ——102 " |

and, if, in his opinion, the existing machinery of the Ballot Act is sufficient?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, he thought the Question ought to have been addressed to his right hon. Friend the Vice President of the Council on Education, because the defect seemed to have arisen through the violation of one of the elementary rules of arithmetic. This was a circumstance which could not always be guarded against; but he did not think it afforded evidence that the machinery of the Ballot Act was insufficient.

Sir HENRY PEEK asked if the Attorney General was aware that at the last Election his Colleague and himself received from the electors of Mid Surrey 1,330 more votes than were recorded by the High Sheriff?

## ARMY—INFANTRY MAJORS.

Sir ALEXANDER GORDON asked the Secretary of State for War, Whether he can now give any further information as to the duties of the eight majors of an infantry regiment under the proposed territorial organisation, and especially whether they will pay companies?

Mr. CHILDERS: Sir, in reply to my hon. and gallant Friend, I have to state that the captains promoted to be majors will continue to perform their present company duties, including payment of the men; but they will be mounted. No change will, as a rule, be made in the duties of existing majors until they are promoted.

## LIFE ASSURANCE COMPANIES ACT, 1870—RETURNS.

Sir HENRY TYLER asked the President of the Board of Trade, Whether he will consider what measures can be adopted to render the Return of "Life Assurance Companies," as annually issued, more valuable, by avoiding to a greater extent discrepancies of dates in the Returns, visible in the Blue Book issued to Members on the 17th May instant, as follows:—(1.) In the "Annual Returns" (Schedules 1 to 4, sections 5 and 6), taking care, even if the issue be made later, that the majority of them may be (as stated in the heading) for the previous year, in place of being (as they are in fact) forty-eight for the previous year, and sixty-six (or the great majority) for the year before; (2.) In the case of the "Valuation and Statistical Returns" (Schedules 5 and 6, sections 7 and 8), that the compilations embrace more recent periods than those in the Blue Book referred to, varying, as they do, from 1872, and, in the case of twenty-seven Companies, not being later than 1876?

Mr. CHAMBERLAIN, in reply, said, he was afraid that it would not be possible to make the changes suggested. The accounts of Life Assurance Companies were made up to different dates; and the Act gave a period of nine months during which the Return might be made to the Board of Trade. Moreover, some of the Companies made quinquennial Returns; and in others the period was as long as 10 years. It would, therefore, be impossible to have all the Returns made up to the same date, unless the publications were kept back so long as to be practically of little value.

## SOUTH AFRICA—THE TRANSVAAL—THE NATIVE TRIBES.

Mr. GORST asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government will take any steps to ascertain the truth or falsehood of the statements that have been publicly made that the Boers of the Transvaal are organising commandos to punish those native tribes which were loyal to the British Government in the last insurrection, and in particular against a chief named Montsuine; and, in the event of the Right honourable gentleman stating that Her Majesty's Government possess information of these facts, what steps it is intended to take to protect Montsuine and other natives from outrage?

Mr. GRANT DUFF: Sir, we telegraphed on Saturday to Sir Hercules Robinson, and have received the following reply:—

> "Yours yesterday received. Administrator, Pretoria, heliographed, 11th May, that a field cornet had arrived there preceding night from Potchefstroom district, who stated Boer commando, about 400, proceeded under orders from Kronje, on 8th, to attack Montsioa, between whom and Machabi, other Caffre chief, hostilities had been going on. Commission called on Boer leaders for explanation. They said their reports stated that Montsioa had attacked Machabi, and was threatening Lichtenberg, and that Boer commando was simply to defend homes. We at once sent an Imperial officer, Major Ernest Buller, with Piet Joubert, to Potchefstroom, to order Montsioa to keep quiet and commando to disperse. It was arranged that Kronje should appear before the Commission to explain proceedings. Montsioa was to be told that Commission would deal with whole question of Keate Award."

Governor Sir Hercules Robinson further telegraphs from Newcastle, May 22—

> "Major Buller reports from Potchefstroom that rumours as to Boer commando against Montsioa much exaggerated, and no forward movement made."

Mr. GORST asked, whether the right hon. Gentleman had any information about the reported slaughtering of 70 Caffres?

Mr. GRANT DUFF: The telegrams which I have read contain all the information that has reached me.

Sir STAFFORD NORTHCOTE: Will any information be forthcoming shortly about this matter? It is important that we should know the attitude of the Government in connection with these proceedings.

Mr. GRANT DUFF: If the right hon. Gentleman gives Notice of any Question it will, of course, be carefully attended to.

## PUBLICATION OF PARLIAMENTARY PAPERS.

Mr. THOMASSON asked the Secretary to the Treasury, Whether he thinks it desirable to fill the houses of honourable Members, at the public expense, with bulky copies of Provisional Orders Confirmation Bills, which they never read, or to deliver to honourable Members on every occasion when a Bill is upon the Order paper for Committee, copies of the Amendments on such Bill, when such copies of Amendments are identically, word for word, the same as those previously delivered (e.g. Alkali, &c. Works Regulation Bill); and, whether, in the interests of the Public Exchequer, he does not think it desirable to alter the practice in these respects?

Lord FREDERICK CAVENDISH: The delivery of Bills and Notices of Motion to hon. Members is made under the general direction of Mr. Speaker, assisted, when necessary, by the Printing Committee. As representative of the interests of the Exchequer, I should, of course, desire that all unnecessary expense should be avoided; but I do not think that it is for me to say what papers are or are not required for the convenience of Members. I have, however, your permission, Sir, to state that in your opinion the question whether Provisional Order Bills should not be treated as regards circulation in the same manner as Private Bills is one deserving of consideration.

### VACCINATION ACT—THE MAGISTRACY.

MR. H. LEE asked the Secretary of State for the Home Department, If the Lord Chancellor, after submitting to the Town Council of the Borough of Southampton the name of James Seward Pearce, the Sheriff of the town and county of Southampton, now declines to add his name to the Roll of Borough Magistrates; and whether the ground of objection is the opinion Mr. Pearce holds in relation to compulsory vaccination, and the fact of his having been fined for non-compliance with an order under the Act; and, whether the Government purpose to make this a disqualification in the case of all justices of the peace who hold similar views?

SIR WILLIAM HARCOURT, in reply, said, he had communicated with the Lord Chancellor on this subject, and the Lord Chancellor stated that the grounds of his objection to Mr. Pearce did not relate to any opinion entertained by that gentleman, but to the fact that he had been twice convicted and fined by the borough magistrates for offences against the Vaccination Act. Of these facts the Lord Chancellor was unaware when he signified to the Town Council of Southampton that Mr. Pearce was a fit and proper person to be appointed a borough magistrate. The offences of which Mr. Pearce had been guilty were subsequently brought to the notice of the noble and learned Lord, who naturally came to the conclusion that a gentleman who had not himself recognized the duty of obeying the law was hardly a suitable person to add to the roll of borough magistrates.

### CRIMINAL LAW—CASE OF JAMES THOMPSON.

MR. JACKSON asked the Secretary of State for the Home Department, If he can recommend the discharge from prison of James William Thompson, sentenced at Ripon to three months' imprisonment for alleged burglary; and for whose release a memorial has been signed by nearly 300 respectable persons, supported by many affidavits of persons in a position to form an opinion, and who believe Thompson to be entirely innocent?

SIR WILLIAM HARCOURT, in reply, said, he had investigated this case very carefully, and the result of his deliberations was that an order for the discharge of the person referred to in the Question had been sent three days ago.

### INDIA—GRANT TO GENERAL SIR FREDERICK ROBERTS.

MR. LABOUCHERE asked the Secretary of State for India, Whether it is contemplated to make a present of £12,000 to Sir Frederick Roberts for his services in Afghanistan; whether, if so, such moneys are to be furnished by the inhabitants of India, or those of the United Kingdom; and, whether this House will have an opportunity to express an opinion upon this present before any decision being finally taken by Her Majesty's Government in the matter?

THE MARQUESS OF HARTINGTON: Sir, the noble Lord the Member for Woodstock has a Question upon the Paper on the same subject as that to which this Question refers. Considering the exceptional character of the noble Lord's Question, perhaps he would be good enough to read it out at full length.

LORD RANDOLPH CHURCHILL said, he would wait until his Question, which was the 48th on the Paper, should be reached. Perhaps the noble Marquess would read it himself.

THE MARQUESS OF HARTINGTON: Then do I understand the noble Lord declines to read it?

LORD RANDOLPH CHURCHILL: Yes.

THE MARQUESS OF HARTINGTON: Sir, in reply to the hon. Member for Northampton (Mr. Labouchere), I have to say that I stated some time ago, in moving a Vote of Thanks to the Army in Afghanistan, that Her Majesty had been graciously pleased to confer a

Baronetcy upon General Stewart and General Roberts, and that, in accordance with precedents, the Council of India had voted a sum of £1,000 a-year to each of them, or, as an alternative, the sum of £12,500 in commutation of a pension. These sums will be charged on the revenues of India, and have been voted by the authority of the Council of India. The sanction of Parliament to this grant is not necessary, and the matter will not be brought before this House unless my hon. Friend the Member for Northampton or some other Member thinks it necessary to call attention specifically to the subject. The noble Lord the Member for Woodstock (Lord Randolph Churchill) puts a Question on the same subject, and as he declines to read it, I shall myself have to put the House to the trouble of listening to it. I am asked by the noble Lord—

> "Whether it is a fact that Sir Garnet Wolseley received for his eminent services in Ashantee a grant of £25,000; whether General Sir Frederick Roberts on his return from India was definitely informed by him that, in return for his equally eminent services in Afghanistan, he would receive a grant of £20,000; and whether Sir Frederick Roberts, on his return home from South Africa, was informed that the grant of £20,000 had been reduced by him to £12,000; and, if so, why the grant originally promised has not been made?"

In reply to these Questions I have to state that I believe that Sir Garnet Wolseley did receive £25,000. But that was a grant made by Parliament; while the sums which have been voted to Sir Donald Stewart and Sir Frederick Roberts were voted by the Council of India on my recommendation, strict Indian precedents being followed. In reply to the second Question, I have to state that Sir Frederick Roberts returned home from India in November, that I never had any communication whatever with him on the subject of a pension or grant of any kind until February 26, 1881, and that in informing him of the honour which Her Majesty's Government proposed to confer upon him I used these words—

> "I propose to submit to the Council of India that a grant of £1,000 a-year for life be made to you."

A day or two afterwards I saw Sir Frederick Roberts, and I had some conversation with him, the exact terms of which I cannot, of course, vouch for. The general effect of it, however, was that he felt some natural hesitation about accepting an hereditary honour when the pension by which it was to be accompanied was limited to his own life and not continued to his son. In consequence of that conversation I wrote him a letter on March 1, from which I must read a short extract. I said—

> "The precedents are so clearly in favour of limiting any grant from the revenues of India to one life that I should have considerable difficulty in inducing the Council to depart from the usual course in this instance, but there have been cases in which, where the original recipient has enjoyed a grant for only a short time, it has been renewed in favour of his successor. I cannot doubt in your case, if you should unfortunately not obtain the benefit of a pension for a considerable period, the circumstances would be favourably considered by the Secretary of State and the Council at the time, but I cannot give you any formal assurance which would bind my successors and the Council on this point. I think, however, the Council would be prepared to consider favourably any request you might make to commute the grant for a capital sum."

A short time after the receipt of that letter Sir Frederick Roberts left England for Natal, having first signified to me his grateful acceptance of the honour proposed to be conferred by Her Majesty, and his wish that the pension should be commuted for a capital sum. Some delay took place in the final settlement of the matter, in consequence of its being ascertained — what had not been previously brought to my knowledge—that owing to the provisions of an Act of Parliament it would not be possible for either Sir Donald Stewart or Sir Frederick Roberts to draw a pension of £1,000 a-year while they held the offices of Commander-in-Chief in India or Madras. They finally answered, accepting a pension of £1,000 a-year when they could legally receive it, or, as an alternative, the sum of £12,500, which was in both cases in excess of the actuarial value of a pension of £1,000 a-year. I think this statement will show that there is no foundation whatever for the statement that I ever assured Sir Frederick Roberts that he would receive a sum of £20,000, or any sum other than that which I have mentioned. And now, having made this statement, I think I am entitled to ask the noble Lord upon what grounds, other than those which are contained in the calumnious and lying gossip which appears in certain newspapers published in this Metropolis, he has founded the Question put to me containing imputations of so injurious a character? I will also ask whether, before putting his Question on the Paper, he had taken the trouble of satisfying himself by those means which were open to him—[Lord RANDOLPH CHURCHILL: What means?]—by communication with Sir Frederick Roberts or otherwise, to ascertain whether there was the slightest foundation for the statements which he has brought under the notice of the House?

LORD RANDOLPH CHURCHILL: I have put this Question on information which came to my knowledge. [*Cries of* "Oh, oh!"] I did not consult Sir Frederick Roberts, because I regret to say that I have not yet had the honour of making the acquaintance of that illustrious General.

THE MARQUESS OF HARTINGTON: May I ask the noble Lord whether he had any foundation whatever for putting the Question, except a paragraph in a newspaper called *Vanity Fair?*

LORD RANDOLPH CHURCHILL: I am not in the habit, nor shall I hope ever to be in the habit, of putting Questions to Ministers founded on statements which may appear in *Vanity Fair.*

SIR H. DRUMMOND WOLFF: I wish to ask the noble Marquess whether, having referred to certain actuarial calculations, he is prepared, in accordance with the Rules of the House, to lay them on the Table?

MR. R. N. FOWLER: I would also ask, whether it was not in accordance with the general rule, in giving a pension of £1,000 for distinguished services, to grant it for two lives?

THE MARQUESS OF HARTINGTON: No, Sir. The precedents have been carefully examined, and there is no instance of the original grant having been made for more than one life, although in several cases the grant had subsequently been continued to the successors. In answer to the hon. Member for Portsmouth (Sir H. Drummond Wolff), I have to state that I have no actuarial calculations to lay on the Table. The statement I made was founded on the information given me by the financial authorities at the India Office, and I have no doubt whatever as to its accuracy.

SIR H. DRUMMOND WOLFF: The noble Marquess said there were actuarial calculations; and I would ask you, Sir, whether, having referred to those calculations, he is not bound, by the Order of the House, to lay them on the Table?

THE MARQUESS OF HARTINGTON: What I believe I said was that the sum of £12,000 was larger than the actuarial value.

SIR H. DRUMMOND WOLFF: There must be some Report, Sir, on which the noble Marquess acted, and I ask whether the noble Marquess is not bound to lay it on the Table?

MR. SPEAKER: I do not understand that the noble Marquess has quoted from any specific document.

MR. ONSLOW: I wish to ask the noble Marquess, whether he is aware that his private secretary said anything to General Roberts on the subject?

THE MARQUESS OF HARTINGTON: It is absolutely impossible that anything of the sort can have taken place. The letter I read was copied by my private secretary, who was perfectly aware of the intentions of the Government, and he could have made no such statement as the Question of the hon. Gentleman implies.

## CHURCH OF ENGLAND—LOWER HOUSE OF CONVOCATION.

MR. LABOUCHERE asked the Secretary of State for the Home Department, Whether he has observed that the following gravamen was adopted in the Lower House of Convocation on Thursday last, as an articulus cleri:—

> "That it is understood that a relaxation of the rules governing the admission of Representatives in the Lower House of Parliament is proposed, and that for certain reasons this House has the deepest interest in deprecating any such relaxation at the present time;"

whether he has further observed that, during the discussion upon the said gravamen, Archdeacon Palmer asked if the Lower House of Convocation would not be acting impertinently to deal with anything connected with the action of the Houses of Parliament, and if it was not coming near a violation of privileges; whether the Lower House of Convocation did not only come near a violation of privileges, but was actually guilty of a violation of privileges in dealing with anything connected with the action of this House of Parliament; and, if so, whether he intends to take any steps to convey to the clerical dignitaries and deacons forming the Lower House of Convocation the serious danger to that House of such conduct; and, whether he will relieve the anxieties of Members of this House and of electors of the United Kingdom by explaining what are the effects (if any), spiritual or temporal, of the adoption of the gravamen already referred to as an articulus cleri by the Lower House of Convocation?

SIR WILLIAM HARCOURT: Sir, my hon. Friend asks me whether I will relieve the anxiety of the Members of this House by explaining what is likely to be the effect, spiritual or temporal, of a *gravamen* adopted in the Lower House of Convocation on Thursday last as an *articulus cleri.* My hon. Friend has, I am afraid, been a little more alarmed than he need be by these ecclesiastical terms, due probably to the fact that he has not a very intimate acquaintance with Convocation or the individuals who compose it, for I observe in the last paragraph but one he requests me to convey to the "clerical dignitaries and deacons"—[Mr. LABOUCHERE: That is a mistake. "Deacons" should be "divines."]—I can assure the hon. Gentleman, however, that he need have no anxiety in the matter, and that the *gravamen* is not likely to prejudice him or any other Member of the House. I observe that the Lower House of Convocation express an opinion somewhat adverse to the admission of clergymen into the House of Commons, and as that opinion agrees with that which has been pronounced by the House itself, I do not think we can complain of Convocation confirming our decision. Under these circumstances, having relieved my hon. Friend's anxieties, I hope that he will not expect that I should proceed any further in this matter.

## METROPOLITAN DISTRICT ASYLUMS BOARD.

MR. W. H. SMITH asked the President of the Local Government Board, If he has received a representation from the Metropolitan District Asylums Board as to the great necessity for immediate legislation to define, and, if requisite, enlarge the powers of the Board and the local authorities of the Metropolis to enable them to discharge the duties imposed upon them under the Act of 1867, in making provision of adequate hospital accommodation for smallpox patients; and, if he will state what course he proposes to take in the matter?

MR. DODSON: Sir, I have received a representation from the managers of the Metropolitan Asylum District as to the alleged necessity for legislation to define and enlarge the powers of the managers and the local authorities. Independently of and prior to this the subject had much engaged theat tention of the Board. We are now in communication with the managers for the purpose of ascertaining the nature of the amendments of the law which appear to them to be required. When we have received the reply of the managers, we shall be in a better position to determine what steps it may be expedient to take; but at the present moment it would be premature to express an opinion on the subject.

## SOUTH AFRICA—THE TRANSVAAL—MURDERERS OF CAPTAIN ELLIOTT.

LORD EUSTACE CECIL asked the Under Secretary of State for the Colonies, Whether the murderers of Captain Elliott have as yet been apprehended; and, if so, before what tribunal, civil or military, in or out of Her Majesty's dominions, they will be tried?

MR. GRANT DUFF: Sir, we telegraphed on Saturday, and have received the following reply from Sir Hercules Robinson:—

> "Yours 21st. Persons accused of murdering Elliott have not been apprehended. Case is in hands of Attorney General, Transvaal, who will act with all expedition possible. Boer leaders promise co-operation. President Brand has taken steps to bring to trial persons accused of murder of Barber, which was committed within Free State."

I mentioned on Friday that the persons accused of murdering Captain Elliott would be tried by the High Court of the Transvaal under the existing law.

LORD EUSTACE CECIL: Considering that this murder took place four months ago, under circumstances of peculiar treachery and cowardice, I should like to know whether any communication has passed between the Government and the leading Boers asking for an explanation why greater despatch has not been used in the arrest of these malefactors; and whether the Government are prepared to remove this trial from the Transvaal to the Cape or Natal in order that there might be a proper administration of justice?

MR. GRANT DUFF: I cannot answer the first Question off-hand. As to the second Question, the Commission has made the decision that the murderers are to be tried by the existing High Court of the Transvaal.

## FRANCE—THE NEW COMMERCIAL TREATY.

LORD JOHN MANNERS asked the President of the Board of Trade, Whether any communications have been made to the Chambers of Agriculture with respect to the duties proposed to be levied on agricultural produce under the new Treaty with France?

MR. CHAMBERLAIN, in reply, said, communications had been made by the Foreign Office to the Chambers of Commerce; but he was not aware whether any had been made to the Chambers of Agriculture. The matter should receive his attention.

## POOR LAW (IRELAND) BILL—DISTRESS FOR RENT.

MR. BLENNERHASSETT asked the First Lord of the Treasury, Whether, in accordance with the Resolution unanimously adopted on a recent occasion by the House, he will move the insertion of a Clause in the Land Law (Ireland) Bill abolishing the right of distress for rent in all tenancies to which that measure applies?

MR. GLADSTONE: I am not desirous to see the practice established of putting Questions such as this on matters relating to Bills which happen to be before the House. Notice of two Amendments has already been given in connection with this subject, and as the matter is one which has many branches and considerations bearing on it, I would rather that it was reserved until the Committee stage.

## FOREIGN JEWS IN RUSSIA—EXPULSION OF A NATURALIZED BRITISH SUBJECT.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House, a Copy of the Protest addressed by Her Majesty's Government to the Government of Russia, relative to the expulsion of Mr. Lewisohn, a British subject; the text of the Russian Law bearing on the question; and of the notice stated to have appeared in the "Gazette" warning Jewish subjects of the Queen generally of the existence of prohibitory Laws in Russia as to their residence in that Country? He also wished to ask the hon. Baronet, whether he has seen a description by an eyewitness of recent outrages in Kieff, and a translation of a Russian account of these outrages, from which it appeared that thousands of men, women, and children had been left without the means of subsistence; that many of them were killed; and that the perpetrators of these outrages were under the special protection of the civil and military authorities? If so, he wished to know whether it was the intention of Her Majesty's Government to abstain from making any representations to Russia on the subject until they received an invitation from some other Power to do so?

SIR CHARLES W. DILKE: Sir, I informed the House a few days since that, with the exception of at Odessa, Her Majesty is not represented at any of the towns where these riots have occurred. We have telegraphed to Odessa for full information, and we have received a telegram from the Consul General there. We hear that the riots at Odessa have come nearly to an end. They had ended entirely on Friday, but on Saturday there was some slight disturbance. No persons were killed at Odessa, or apparently dangerously wounded; but a large number of windows were broken and property taken away. There appears to have been 1,000 arrests made at Odessa by the Russian Government, and between 600 and 700 of the rioters are now in prison. It is proposed to lay upon the Table of the House the laws and regulations affecting the residence of Jews in Russia, and as soon as Her Majesty's Government are in possession of an authenticated copy of these documents they will consider whether any steps can be taken to obtain a modification of the laws in question. Lord Dufferin had more than one personal interview with the Russian Minister for Foreign Affairs, and addressed formal notes to him on the subject on the 27th of January and 19th of February last. *The Gazette* notice referred to appeared in *The London Gazette* of August 7, 1860.

SIR H. DRUMMOND WOLFF asked whether Her Majesty's Government would follow the example of their Predecessors in the case of the Bulgarian outrages, and depute a Special Commissioner to make inquiries in Russia?

SIR CHARLES W. DILKE: The hon. Member must give Notice of that Question.

## POST OFFICE—TELEGRAPH CLERKS.

SIR H. DRUMMOND WOLFF asked the Postmaster General, Whether he has seen a statement made at a meeting of London telegraph clerks on Saturday last, "that some of them had worked twenty-one consecutive hours;" whether the statement is true; and, if so, what rate of overtime is paid for such exceptionally severe labour; and, how far is liability to such excessive hours prevalent at other large offices?

MR. FAWCETT: Sir, in the inquiries I have been lately making into the position of the telegraphists, I have seen reason to direct particular attention to the question of overtime. Although the length of the ordinary day's work is eight hours, it is often arranged that the 16 hours worked in two days should be divided into a short day's work of three hours, succeeded by one of 13 hours, and after working 13 hours, the telegraphists not unfrequently volunteer to work overtime. It has occasionally happened that a telegraphist has been on duty 21 hours. I am sure that such an amount of continuous duty must be alike injurious to the telegraphist and to the interest of the Public Service. In the proposals I am about to make with regard to the future position of the telegraphists, the question of overtime will be dealt with in such a way as will, I hope, prevent such excessive employment in future.

## FRANCE AND TUNIS—RIGHTS OF BRITISH SUBJECTS.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have or will come to a clear understanding with France as to the future position of British subjects in Tunis; whether their rights and privileges, as established under the Convention of 1875, are to be respected and maintained; and, whether France will assume the right and control the action of the Tunisian Government in respect of the renewal, revision, or denunciation of conventions now existing between Tunis and this Country, even if to the detriment of British subjects?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government consider that the position of British subjects in Tunis is established by the Convention of 1875 between this country and the Regency, and the hon. Member will find in the Papers already distributed that Her Majesty's Government have explicitly stated to the French Government their views with regard to the rights of British subjects under existing Treaties. I may point out to the hon. Member that Article 40 of the above-mentioned Convention specially provides that, although at the expiration of seven years from its conclusion, either of the high contracting Powers shall have the right to call upon the other to enter upon a revision of the same, yet until such revision shall have been accomplished by common consent, and a new Convention concluded and put into operation, the present Convention is to remain in full force and effect. With regard to the hon. Member's second Question, I can add nothing to what is stated in Lord Granville's Note to M. Challemel Lacour of the 20th instant., which will be found in "Tunis," No. 3, page 10.

## CONTAGIOUS DISEASES (ANIMALS) ACTS—SPANISH AND PORTUGESE CATTLE.

MR. ARTHUR ARNOLD asked the Vice President of the Council, Whether it is true that an Order has been issued for the compulsory slaughter at the ports of landing of all cattle from Spain and Portugal; and, if true, whether he will state what is the reason for the issue of this Order?

MR. MUNDELLA: Sir, I regret to say it is true that the Privy Council have been compelled to withdraw the exemption from slaughter at the port of landing which has hitherto been extended to Spanish and Portuguese cattle. The grounds on which we have revoked this exemption are the outbreak of pleuro-pneumonia in the North of Spain, in consequence of which the French Government have prohibited the importation of Spanish cattle into France; and the prevalence of foot-and-mouth disease both in the North and South of Spain. We have not taken this step until after the fullest inquiry, and the most careful investigation on the spot, not only by our own Consuls, but by an experienced English veterinary surgeon. Having satisfied ourselves of the prevalence of disease in Spain, that country ceased to come within the conditions of the Act of 1878, under which alone foreign animals can be exempted from slaughter. The absence of any regulations in Portugal which would prevent the transit of Spanish animals, made it necessary to take the same course with regard to Portugal.

### FRANCE — THE NEW COMMERCIAL TREATY — NEGOTIATIONS — CONSTITUTION OF COMMISSION.

Mr. MONK asked the Under Secretary of State for Foreign Affairs, If he can state the names of the Commissioners appointed to negotiate the Commercial Treaty with France; and, whether it is intended to take the evidence of experts from various parts of the Country during the sittings of the Commission?

Sir CHARLES W. DILKE: Sir, the Commissioners appointed to negotiate the Commercial Treaty with France will probably consist of myself, Sir Charles Rivers Wilson, K.C.M.G., C.B., Secretary and Controller-General of the National Debt Office, Mr. C. M. Kennedy, C.B., Head of the Commercial Department of the Foreign Office, and Mr. Crowe, Her Majesty's Consul-General at Düsseldorf, and Commercial Attaché at Berlin and Vienna. Every opportunity will be afforded to manufacturers and the representatives of various industries in this country to afford information to the Commissioners on points connected with the proposed tariff before any arrangement is entered into.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. DILLON.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that the honourable Member for Tipperary has returned from the infirmary in Kilmainham Prison to an ordinary cell, in consequence of the fact that the authorities of the prison put other persons to occupy and sleep in the room at first allotted to Mr. Dillon solely, and that under these circumstances he could not procure needful sleep; and, whether, in view of the delicacy of Mr. Dillon's constitution and the precarious state of his health, the Government will give him for his sole occupation a room in a suitable portion of the prison? He also wished to ask the Chief Secretary for Ireland, Whether, owing to the fact that there is but one cell provided in Kilmainham Prison for interviews between persons detained there and visitors, and that only one visitor is admitted to the prison at one time, it is impossible for more than twenty-four of the prisoners to receive visits on any day within the specified hours; and, whether, as the number of persons now detained in Kilmainham is much larger than the number capable of receiving visits under the present system, and as visitors are put to the inconvenience of long delays, and persons detained are deprived of the exercise of the right to receive a daily visit, a right ostensibly secured to them by the rules, the Government will take steps by increasing the number of visiting cells or otherwise, to secure that each person entitled to a daily visit shall be actually in a position to receive it?

Mr. W. E. FORSTER: Sir, I am informed that the reason why Mr. Dillon wished to be taken back to his cell is not that stated by the hon. Member. There are three visiting cells at Kilmainham, and it is not the fact that one visitor only is admitted at a time. Fifty or 60 visits may take place daily.

Mr. SEXTON: Will a room be set apart for Mr. Dillon's use?

Mr. W. E. FORSTER: If the hon. Gentleman will give me sufficient Notice I will inform him of the position of affairs in that respect.

Mr. T. P. O'CONNOR: Would the right hon. Gentleman inform the House how many hours on an average the hon. Member for Tipperary is compelled to remain in his cell alone?

Mr. PARNELL: I wish to point out to the Chief Secretary to the Lord Lieutenant that my hon. Friend the Member for Sligo (Mr. Sexton) has already given Notice of the Question of which the right hon. Gentleman now requires further Notice.

Mr. W. E. FORSTER: I can give no answer to that Question until I know what representations Mr. Dillon himself has made to the directors of the prison, and what their reply has been upon the subject. The Government will give every reasonable attention to such representations as Mr. Dillon himself may make, but they must be representations made by him.

SIR JOSEPH M'KENNA: I think there is more in this case than seems to be imagined. I think, Sir, it is absolutely necessary that we should be satisfied upon this point—that the hon. Member who is now in prison in Kilmainham shall not suffer more inconvenience or greater hardship than if he had been in prison in this House for contempt of the Orders of this House. The hon. Member has a right to be here under ordinary circumstances. He should be here taking part in the debates in this House; but we know that he is in prison, not because there is any charge against him, but because he is suspected. I will ask the right hon. Gentleman whether he will give the House an assurance that the hon. Member shall not be subjected to greater hardship than if he had been a prisoner in this House for a contempt of its Orders?

MR. W. E. FORSTER: Sir, I think I have already given an answer which applies to one part of the Question of the hon. Member. Mr. Dillon will certainly be subjected to no cruelty, and, as I have said, every attention will be paid to any representations he himself may make to the prison authorities.

### ARMY ORGANIZATION—THE KING'S OWN BORDERERS.

MR. MARJORIBANKS asked the Secretary of State for War, If he would state the reasons why York has been preferred to Berwick on Tweed as the head quarters of the King's Own Borderers, a Regiment essentially Scotch in its privileges, history, and origin?

MR. CHILDERS: Sir, in reply to my hon. Friend, I have to state that the 25th Regiment has been localized at York since the year 1873; but that we have endeavoured to see whether some arrangement might not be made more in harmony with the traditions of the regiment, whose title is the Borderers, by moving them to Berwick. But this would have necessitated arrangements as to the affiliated Militia battalions which are practically impossible, and also would have raised difficulties as to barracks. With great reluctance, therefore, I have decided that it will be best to leave matters as they are.

### ENDOWED SCHOOLS ACTS—THE HULME TRUST.

MR. ARTHUR ARNOLD asked the Vice President of the Council, Whether the scheme for the Hulme Trust has left the Education Department; and when it is probable that it will become Law?

MR. MUNDELLA: Sir, the schemes for the Hulme Trust were sent some time ago to the Charity Commissioners for the purpose of having certain alterations introduced, which, it is hoped, may prove satisfactory to the various parties interested. The amended schemes have now been returned, and approved by the Education Department, and unless further objections are made, there is no reason why they should not become law in about two months.

### ARMY—THE AUXILIARY FORCES—THE COMPANIONSHIP OF THE BATH.

MR. BRIGGS asked the Secretary of State for War, Whether field officers retired from the Auxiliary Forces with permission to retain their rank, are eligible for the honour of the Companionship of the Bath about to be bestowed on a limited number of the field officers of those forces; and, whether that honour is to be confined to field officers in active service?

MR. CHILDERS: Sir, in reply to my hon. Friend, I have to state that the selection of officers of the Auxiliary Forces for honorary distinctions is made as a general rule from officers in active command of regiments; but those who have retired from the command and have been appointed honorary colonels of their regiments, are not considered absolutely ineligible for those distinctions.

### THE CONSTABULARY (IRELAND)—CIRCULAR OF INSPECTOR GENERAL.

MR. CALLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it was a fact that since the issue of the Circular, which was published in the "Freeman's Journal" on Saturday, the arrests of persons "reasonably suspected" by the police had not more than doubled in number?

MR. PARNELL wished to ask the Chief Secretary a Question of which he gave him Notice earlier in the evening—namely, Whether his attention has been directed to a paragraph in the "Freeman's Journal" of Saturday, which has been published in several London journals of this morning, purporting to be the text of a Circular alleged to have been issued by the Inspector General of the Irish Constabulary, regretting that the police have been unable, in a great majority of instances, either to give grounds of "reasonable suspicion" of the perpetrators of the outrages, or of those who instigated them? He wished to ask the right hon. Gentleman whether such a Circular has been issued; whether the "Freeman" correctly reproduced it; and, if so, whether it was issued with the knowledge and sanction of the Irish Executive?

Mr. M'COAN also asked the Chief Secretary for Ireland a Question of which he had given private Notice.

Mr. W. E. FORSTER: I understand the Question put by the hon. Member for the City of Cork (Mr. Parnell) to be the same as that put by the hon. Member for Wicklow (Mr. M'Coan). I can state that the confidential Circular which I have seen in *The Freeman's Journal* of yesterday is, so far as I have been able to compare it, authentic, and has been issued with the knowledge and approval of the Executive Government, and, I may state, of myself. As regards the Question of the hon. Member for Louth (Mr. Callan), I shall be ready to-morrow to give the reasons why that Circular was issued.

Sir STAFFORD NORTHCOTE: With reference to that observation, I wish to know whether it is understood that there is to be a Morning Sitting to-morrow?

Mr. GLADSTONE: Yes, Sir.

Mr. CALLAN wished to ask whether the following portion of the Circular had the full approval of the Chief Secretary when it was issued:—

> "This document is not to leave the hands of the County Inspector, and must be kept under lock and key, and any orders to insure its being carried out must be communicated verbally to the sub-inspectors, head, or other constables as emanating from the County Inspectors themselves."

He wished to know whether Her Majesty's Government gave instructions that deliberate misrepresentations should be made? [*Cries of* "Order!"]

Mr. SPEAKER: The hon. Member is passing beyond the limits of a Question.

Mr. CALLAN: If it will be necessary for me, in face of such a grave scandal, I will move the adjournment of the House. I do not wish to do so; but I wish to say unless the Chief Secretary gives explanations, and unless the explanations——

Mr. SPEAKER: The hon. Member is now using language menacing the House.

Mr. CALLAN: If I am in fault, it was not my intention to be so; and I hope, under the circumstances, I shall be excused. The Question I have to ask the Chief Secretary is, Whether this Circular was issued with his full knowledge and sanction; and if it was intended that a misrepresentation should be conveyed by the County Inspectors to the sub-inspectors, head, and other constables, as emanating from themselves?

Mr. SPEAKER: The hon. Member has not concluded with a Motion, and has, therefore, been guilty of an irregularity.

Mr. CALLAN: I said that unless the Question was answered, I would move the adjournment of the House.

Mr. W. E. FORSTER: Sir, I wish to say that I understood the Question of the last hon. Member to refer to the Circular itself. I believe that it is exactly and fully authentic. I approved of it; and I will, at the proper time, give my reasons for it. As to the paragraph which has been read, I shall be prepared to-morrow to state everything I know in regard to it. I cannot, at the present moment, say more than that; but I will give a full explanation to-morrow.

Mr. CALLAN: Sir, to put myself in Order, I will conclude with a Motion. I must express my regret that a Minister of the Crown has not, at the earliest moment, availed himself of the opportunity of repudiating any knowledge of the Circular. I beg to move the adjournment of the House.

[The Motion not being seconded, was not put.]

## WAYS AND MEANS—CUSTOM AND INLAND REVENUE BILL—SALE OF LIQUORS IN RAILWAY CARRIAGES.

Sir JOHN KENNAWAY asked the Prime Minister, Whether it was his intention to persevere with the Clause in the Customs and Inland Revenue Bill for the Sale of Intoxicating Liquors in Railway Carriages?

Mr. GLADSTONE: Sir, it is not a clause in the Revenue Bill; but I wish to make a short statement on the subject, and also on another point raised by the Leader of the Opposition. This proposal, of allowing strong liquors to be retailed in Pullman cars, was viewed by the Railway Companies who made the application, and by the Board of Inland Revenue, as simply a matter of administration. They were not at all prepared to expect that it would be regarded as a proposal of a revolutionary character. To dispose of their proposal would occupy several hours of the time of the House, and it is not my wish, since it is comparatively unimportant in relation to other matters, to ask the House to devote several hours to it. The proposal has been killed by the menaces to which it has been exposed. With regard to those who have opposed it, I should be glad if they would supply the Board of Inland Revenue with any suggestions they may have, so that they may be considered if the proposal should appear in a future year. I have also to state that, in fulfilment of the conditional pledge which I gave on Friday, it is my intention to ask the House to meet at 2 o'clock to-morrow, for the purpose of discussing the Motion of the hon. Member for Longford (Mr. Justin M'Carthy), and any kindred topic.

### NAVY—COURT MARTIAL AT SYDNEY—H.M.S. "WOLVERINE"—CASE OF MR. C. P. STAMP.

In answer to Mr. Macdonald,

Mr. TREVELYAN said: Charles Stamp is coming home in the *Danæ*, which started from Sydney on the 5th of March, to call, perhaps, at New Zealand and at the Falkland Islands on the way. The vessel will not have arrived before July. On his arrival in England I will see that his case is at once attended to, according to my promise to the hon. Gentleman.

### STATE OF IRELAND—DISTURBANCES IN THE COUNTY OF LIMERICK.

Mr. T. D. SULLIVAN asked the right hon. Gentleman the Secretary of State for War, Whether the garrison besieged in a castle in the county of Limerick was still holding out against the large military force which had been sent against it; and, whether the right hon. Gentleman would cause a map to be prepared and placed in the Library, which would enable hon. Members to follow the course of the military operations in that part of the country?

[No answer was given to this Question.]

## *ORDERS OF THE DAY.*

### CUSTOMS AND INLAND REVENUE BILL.—[Bill 136.]

(*Mr. Playfair, Mr. Chancellor of the Exchequer, Lord Frederick Cavendish.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

### LOCAL TAXATION.—RESOLUTION.

Mr. PELL rose, pursuant to Notice, to move—

> "That the annual consideration of the measures imposing taxation should be accompanied by a Ministerial Statement of Local Taxation and Finance, so as to afford the House an opportunity of reviewing as a whole the requisitions made on the Nation for local as well as Imperial purposes."

He said, that he had hoped that such a statement as was indicated in the terms of his Notice would have been made on the subject of Local Finance. The question of local expenditure, local receipts, and local indebtedness was really one of national importance when they came to consider the growing figures which it involved, and he thought they ought to have the matter placed before them in as clear and comprehensive a manner as was done yearly in the case of Imperial Taxation and Expenditure. The Returns relating to Local Finance were extremely difficult to analyse, and rather difficult to understand, while the time at which the country received them was not a period when they were likely to command the attention they merited. In 1873 he had himself introduced a Bill into that House to require all local authorities to make a return of their accounts at a stated time; and, further, to provide that a responsible Minister—he thought the President of the Local

Government Board—should produce as early in the Session of Parliament as practicable a succinct abstract statement of those accounts. That Bill had in it what he deemed a very useful clause—namely, one providing for an official audit of all the public accounts of local authorities. That proposal met with a most strenuous opposition from the boroughs, and when the Bill came from Committee as amended, that clause was struck out. The Bill reached the stage of the Report; but it excited dissatisfaction among those who administered the affairs of local authorities, and it failed to pass. At the end of that Bill there was a tabular statement, of no great length, setting out the form in which the accounts of local authorities could be rendered in a way which those who ran might read and understand. In 1875 the subject of Local Finance was felt to be of such moment that the then Chancellor of the Exchequer made a statement to the House upon it early in the Session in introducing the Public Works Loans Bill. The right hon. Gentleman (Sir Stafford Northcote) then said that the attention of Parliament itself and that of the various local bodies who administered Local Finance ought to be drawn to that subject, and, above all, to the contraction of debts. He quoted from an able pamphlet written by the then hon. Member for Liverpool (Mr. Rathbone), who said—

> "That while the attention of the Nation is annually concentrated on the total amount, and on the items of Imperial Taxation, the particulars of Local Finance are known only to a few statisticians. The vast amounts expended and the extent of the loans contracted by these local bodies could not otherwise have escaped notice."

He also remarked that the Government wished to provide some system by which the attention of the Government might be directed to the progress of local income, expenditure, and indebtedness, at a reasonable time. Now, it was on the reasonable time that he desired to ininsist; and the reasonable time, he ventured to submit, was as near as might be to the time when the Statement as to Imperial Finance was laid before the country, so that a comparison might be made between those two kinds of Finance, and that, while they might be congratulating themselves on reductions in the one, they might not overlook the enormous progressive increase in the other. The two subjects were not entirely disconnected. It was obvious that what was given by the Chancellor of the Exchequer in remissions of taxation did not, of necessity, diminish the need of expenditure or make the expenditure less. What he meant was this—it might be thought right at some not very distant day to reduce the grant from the Imperial Exchequer for, say, Education; and it was obvious that the loss caused by any withdrawal would have to be made by a demand on the public pocket in the form of a rate. In the year 1876, the right hon. Gentleman the Member for North Hants (Mr. Sclater-Booth), who was then President of the Local Government Board, made a statement on the subject in Committee of Supply; but it was then too late to serve the desired purpose. The following year, much earlier in the Session, the right hon. Gentleman made another statement on a Resolution as to Public Works, which immediately excited the attention of some of the leading Members of the House, and in particular of the right hon. Gentleman the junior Member for Birmingham (Mr. Chamberlain), who made use of a very remarkable term, and, speaking out of the fulness of his heart, characterized the local authorities, and justified their existence, as "machines for spending money," though he qualified that function by limiting it to spending "wisely." It was as the mouthpiece of a great spending authority that that right hon. Gentleman came to the Government for loans at a low rate of interest, and as the representative of a town that had already borrowed £5,000,000, and wished to increase its loan. For himself, he wished to cast no doubt on the probably remunerative nature of that loan; but it was proverbially true that money come by lightly would also go lightly. The question of local debt was one of such magnitude that an early annual statement ought to be made on the subject, to mark and call attention to its importance. In 1878 there was another early and comprehensive statement made by the then President of the Local Government Board; but that good practice was not continued in the following year, and it totally disappeared, in a satisfactory form, in 1880. That was an exceptional year, on account of the General Election; but hon. Members interested in the subject were then reminded by the President of the Local Government Board that they would be able to get what they wanted from the Local Taxation Returns. Those Returns, however, did not supply the necessary particulars, or, at any rate, did not supply them in a convenient form. They were defective, and, in some particulars, inaccurate and misleading. They were so voluminous as to confuse and baffle all but experts, and even an expert would have to search through 200 pages in order to arrive at facts which might easily have been stated in four folios. He asked the House to consider some of the items of this expenditure. Comparing the accounts of the year 1874, as presented in a tabulated Return for which he had himself moved, with those of 1879, which were the latest he had the material for computing, he found that during that period the expenditure in connection with education had increased from £1,200,000 to £3,354,000; the expense of police, in spite of a Government subvention, had risen from £2,630,000 to £3,035,000, and was still increasing. As to the loans themselves—and it was there, after all, that the danger really lay—they would some day or other have to be met by rates, and were therefore a specially important branch of the question. The total of the loans had risen between June, 1874, and Lady Day, 1879, from £84,000,000 to £128,500,000. The whole National Debt was something under £720,000,000, and would have to be paid off not more imperatively and necessarily than these local loans. Again, the duration of local loans, the periods for which money was borrowed, had to be considered by the House. One great municipal body had borrowed £1,000,000 in perpetuity, as though the prosperity of the town it represented—in which, by the way, murmurs of reciprocity had lately been heard—would last for ever. Long terms, such as 50, 60, or 100 years, were not uncommon; and he had known an important Metropolitan authority borrow money for 60 years in order to effect improvements that could not by any possibility last for half that length of time. He might mention, by way of illustration, that he had in his mind a case in which a number of boilers that had already been repaired had been purchased by money borrowed for the term of 60 years. The effect of refusing or withholding such a statement as he asked for would be to check all reforms in the right direction, to leave reformers with a sense of having blindly to pay more every year than they did the year before, and to excite in their minds a grumbling spirit, without the information essential to an intelligent comprehension of the points towards which reforms should be directed. An idea was still widely prevalent that if you could get an object carried out by means of the rates, you would get it done for nothing; that everybody benefited, and that nobody lost. The prevalence of this idea had a most demoralizing effect. He awaited with much interest the remarks which the right hon. Gentleman would make on this subject, and hoped he would not say that the matter must be postponed until the great question of local government had been settled. In his belief, the accounts could be worked out and presented to Parliament without waiting for the settlement of that very important question. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Sir MASSEY LOPES said, he sincerely sympathized with, and cordially supported, the Motion of his hon. Friend the Member for South Leicestershire. He had on former occasions called the attention of the House and the country to this important subject, and had endeavoured to persuade the House that it was absolutely necessary that an annual Local Budget should be presented to Parliament, and that they should have an annual abstract of Receipts and Expenditure for all money levied from the ratepayers for the different purposes of the different local authorities. His hon. Friend in 1872 had aided and assisted in that object, and he ventured to say that if the proposal and policy were good, then the arguments in favour of it now were much stronger. He ventured on that occasion to draw a distinction between Imperial and Local Taxation, and he said that whilst every expenditure with reference to Imperial Taxation was scanned within that House with the greatest caution, and with great scrupulousness, yet in the question of Local Taxation they were indifferent and apathetic to the whole subject. The accounts of the one were clear and explicit; but the accounts of Local Taxation, on the contrary, were obscure and complicated, and almost unintelligible; whereas every item of our Imperial Taxation was under Parliamentary administration, and under the supervision of the Government, with reference to Local Taxation we were comparatively indifferent — he might say supremely apathetic—in respect of the mode and means by which these vast sums extracted from the ratepayers were expended. He had strongly urged that as the Chancellor of the Exchequer was responsible for Imperial Taxation, the President of the Local Government Board should be made equally responsible for Local Taxation Expenditure. His hon. Friend had told the House of the Bill he had introduced in the year 1873, and which, had it passed, would have been a boon to the country. He suggested that there should be an Annual Budget of Local Taxation, and that that Budget should be made up at one period of the year. His hon. Friend had then been fortunate in one respect; he then got the assistance of a Member of the Government, the right hon. Member for Halifax (Mr. Stansfeld); he carried that Bill through Committee, but, like other private Members' Bills, it did not advance any further. His right hon. Friend the Leader of the Opposition, in 1875, announced in the House that he advocated the principle and proposal in his hon. Friend's Bill, and he then initiated and established a Local Taxation Budget; and for the years 1876-7-8 they had an Annual Budget which was most interesting to that House and to the country. For the next two years it was omitted. But, as he had said before, if it was needful and necessary 10 years ago to have an Annual Statement of Local Taxation, it was far more important that they should have it now, for the rate of local expenditure and local indebtedness was alarmingly on the increase. It would scarcely be credited that 10 years ago local burdens were less than now. Notwithstanding that the late Government had given upwards of £2,000,000 in remissions, the burdens had increased by the imposition of new taxes—education, highway, and sanitary rates—so that positively all the boons granted by the late Government had been absorbed by new taxation for new objects. How was it on reference to their local indebtedness? They were actually increasing their local indebtedness at the rate of £10,000,000 per annum, and at this present moment he thought it would be found that our local indebtedness was £150,000,000, and that was considerably more than the rateable value of the property of the United Kingdom at this present moment. They had been endeavouring of late years very much to decrease the National Debt; yet, at the same time, they had been creating another kind of National Debt, far more rapidly, and at a much greater rate, than they were diminishing the old one. They had been creating a new debt in their local indebtedness. That debt was really amounting, at this moment, to almost the National Debt of many important States. He was one of those who thought that the mode and the means by which they had allowed money to be borrowed by their local authorities from the Public Works Loan Commissioners was radically wrong. We were thus giving undue facilities for borrowing money. He thought it had been an inducement to those local authorities to spend more money, and to spend that money more extravagantly than they otherwise would. He also thought that the mode and means which they had given them of spreading the repayment over such a very lengthened period was also a temptation to borrow money. It was hardly right in them that they should be drawing bills upon posterity for almost every conceivable object, throwing undue responsibilities upon them, and expecting posterity by-and-bye to pay them. It was not improbable that posterity might have many wants and requirements of their own; just as much as we had in the present generation; and he did not think that they would be particularly well pleased to find that we had mortgaged their securities so heavily and so severely as we had already done. We had no right to lighten our burdens and responsibilities by transferring so large a proportion of them to posterity. The system of Government Loans, except under very exceptional circumstances, was bad. Money was particularly plentiful and cheap at the present time, and if the security was good there was no difficulty in any local authority going into the open market and getting as much money as they required. In 1875 the late Government passed a Local Loans Act, and he would like to know why that had been so little utilized? Was it that the Public Works' Loan Commissioners were advancing their money on cheaper terms than it could be got in the open market, or were less particular as to securities? No doubt a certain amount of debt must be contracted by local authorities to carry out the various social and sanitary improvements which the Legislature was continually imposing exceptionally on the owners and occupiers of real property; but if local authorities went into the open market they would be more careful than when, as at present, they could run up large accounts with the Commissioners. It was not to be expected that local authorities should find money for the improvements that were forced upon them out of current revenue; but still Government ought to be much more cautious in sanctioning these debts. Greater care and more stringent regulations should be exercised, and their repayment should not be spread over so lengthened a period. In many instances there was an entire absence of any efficient and independent system of audit with reference to the application of these vast sums. All the accounts of the local authorities should be subjected to the same audit as that of Poor Law authorities and school boards, and be regularly published every year. He seconded the Motion, as he was perfectly satisfied, if attention was called to our Local Taxation and our local indebtedness by an Annual Budget Statement from a responsible Member of the Government, we should better realize our responsibilities, and be a deal more careful and cautious in incurring them.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the annual consideration of the measures imposing taxation should be accompanied by a Ministerial Statement of Local Taxation and Finance, so as to afford the House an opportunity of reviewing, as a whole, the requisitions made on the Nation for local as well as Imperial purposes,"—(*Mr. Pell*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. RATHBONE said, he could not help thinking that it was not necessary to argue the Motion. They were all agreed that the whole subject of Local Expenditure should annually be brought before the attention of Parliament; and the only question was how that could be best accomplished. His work in this matter had been the humble one of collecting information; and in the course of his inquiries it appeared to him that the only chance of our local government being efficient, and our Local Taxation being moderate, was to have the whole subject placed on such a footing that the ratepayers should know what they were spending, and for what purpose the money was spent. To do that they must begin at the beginning, and not at the end—they must begin in the localities themselves. He thought they ought to have in every locality, in place of the present chaotic system, one local and spending authority. When that was accomplished they could then know for what they were being taxed and what they were paying. How was it possible to know that at present? In the district in which he lived, within a radius of a few miles, there were 35 taxing and spending authorities. He defied any man in that area to say where one must look for a check upon abuse or mismanagement. His proposal was not only desirable, but it was practicable. In speaking a few years ago with the present Lord Reay, then a Member of the Dutch Government, that gentleman said that Holland was perfectly satisfied with its local government. He (Mr. Rathbone) then said that that was the only country which he ever knew was satisfied with its local government, and he wished Lord Reay would undertake to get a statement of how they managed there to content the people with the local government. That statement had been obtained; and really the whole success lay in the principle which he had mentioned. The Dutch, he believed, originally derived their system of local government from this country; but, instead of letting it grow up, they took care to put it upon a regular system, and their system was the having one primary local government doing all the work for the district. The local authority brought in a Local Budget on the 30th September every year. The Budget lay on the Table until the following 1st

January. It was sent up to what we should call our County Boards, and also to the Central Government; and if either of those bodies found that anything had been done which trenched upon their management, or was contrary to the powers and the duties of the local board, they had the right to object; but if no objection was made, the Budget became law on the 18th of January every year. It would be apparent to the House that if we had such a system in this country there would be no difficulty in the way of the President of the Local Government Board annually laying before the country a statement of Local Administration, Taxation, and Finance. It would be also evident that this Budget coming once a year before the locality in general debate, which brought everything that was interesting to any portion of the ratepayers before them, would meet with general attention and criticism. The consequence in Holland was that enormous powers had been given to the local authority. The primary local authority in Holland could levy any tax which was not levied by the Central Government; but yet those large powers were kept in check, and the local authorities there were economical and efficient.

Mr. T. COLLINS thought there could be no doubt that the Resolution, if acted upon, would have a very material effect in reducing the powers of local bodies in reference to borrowing money. It was a great mistake that the House did not lay down in broad principles that each generation for local purposes should pay its own debts, and that no borrowing powers should be given to local authorities extending over a period of more than 30 years. Anyone who had experience of local authorities knew that they preferred to borrow at 4 per cent if they could throw the loan over 50 years, rather than borrow at 3½ per cent if the loan had to be paid off in 30 years. The question always was—"Over how many years can we throw this debt, and how little can we pay year by year?" Unfortunately, the interests of owners and occupiers were at variance in that respect. The latter were only anxious to borrow as much money as possible, and enter upon as large an outlay as they could, because it brought them immediate benefit. Owners naturally took a different view. He hoped, therefore, that Parliament would lay down the principle that each generation should pay the cost of its own fancies, instead of throwing its debts over 50, 60, or 100 years. He would also say a word as to the unfair incidence of burdens according as property was freehold or leasehold. At present, if there was a number of leasehold houses on one side of a street, and a number of freehold on the other, the one paid 3 per cent Probate Duty, and the other nothing, or next to nothing. It was a perfect scandal, and could be supported by neither rhyme nor reason. There should be no such distinction. Property should be divided into rateable and non-rateable, and the Probate Duty should be levied at different rates accordingly. Of course, the manner in which it was dealt with in the present Bill could only be regarded as fragmentary, and he hoped at a future time the subject would be grasped in a more general manner.

Mr. GLADSTONE: Sir, I think there is great force in the statement made by the hon. Gentleman from the other side of the House with respect to the question of Probate Duty. There is no doubt whatever that that is a subject which must be taken into very serious consideration by Parliament. This much I said on a recent occasion, and I also pointed out that until the House had determined what it would endeavour to give to the Statute Law and other matters, it was not possible to legislate upon the subject of both duties. I pass from that, because I think it is understood this debate should have for its main object to deal with the subject raised by the hon. Member for South Leicestershire (Mr. Pell). With the spirit and aim of his speech I entirely sympathize, as I do with the speeches made since the hon. Gentleman sat down. I am very glad we are not placed in conflict with the terms of the Resolution; because, although some little objection might be taken on the score of ambiguity, I should be sorry to seem to be in opposition to him. This question is so large and complex that it is difficult to give a full view of it except in lengthened debate; and, therefore, I must beg the indulgence of the House if I do not at present take a full view of it. I have already expressed my thorough sympathy with the speech made by the hon. Member. The hon. Member has spoken most properly of the presentation of accounts of Local Expenditure, as one of the first objects to which we should look, and an object which may be prosecuted without making it dependent altogether upon the settlement of other questions, however important and however difficult. I entirely agree with him in that matter; but I would at the same time point out that we must not expect, I am afraid, to do all that is to be done in this respect at a single stroke. In the first place, some progress has been made, and, of course, it is the duty and the aim of the Local Government Board, under whatever Government, to keep this subject still in view, and lay the foundation of a good system of local account, with the view of enabling Parliament to obtain a clear knowledge, and, if necessary, sufficient control over Local Expenditure. It is right to point out that in this matter we are dealing not only with England, but with Scotland and Ireland as well, and that, as regards the presentation of accounts for those countries—and Scotland in particular—we are, I believe, less advanced than with regard to England. The subject must and ought to be prosecuted for the three countries, because unless you do so you cannot either consider duly the relation between Local and Imperial Expenditure, or obtain that aggregate view which the hon. Member is most desirous to obtain of the total Expenditure of the country, whether Imperial or local. The Resolution of the hon. Member states—

> "That the annual consideration of the measures imposing taxation should be accompanied by a Ministerial Statement of Local Taxation and Finance, so as to afford the House an opportunity of reviewing, as a whole, the requisitions made on the nation for local as well as Imperial purposes."

I am sure that the hon. Member does not mean that the Local and Imperial Budget should be comprised in a speech embracing both subjects, because they are in the Department of two Ministers; and, in the second place, everyone knows, especially in the case of the larger and complex Budgets, it could have no effect except to confuse, if subjects so wide and diversified were combined. What I take to be the general object of the Motion is that there should be a Ministerial Statement on the subject in the course of the Session, and that it should be as closely following in point of time the Financial Statement as possible. We are indebted to my right hon. Friend opposite (Sir Stafford Northcote), who, as Chancellor of the Exchequer, took notice of the rapid growth of Local Taxation and Local Loans, and laid down officially in this House the proposition that this Annual Statement ought to be made. This deserves very serious consideration; because, unquestionably, the subject of Local Loans is formidable from two points of view—first of all as indicating a vast increase in the scale of local expenditure and the dangerous tendencies to enlarge and increase it; and, secondly, as constituting a new drain upon the credit of the nation, which threatens to become serious, and which under given circumstances of time, for great Imperial purposes, may be a great public evil. There is, therefore, not only a local, but also a central interest to the nation and the Exchequer in the due presentation of this subject. With regard to the loans likely to be required from the Exchequer for public purposes, that has become a regular part of our system. But there is some difficulty in laying down the proposition that the statement shall always be presented at the same period of the Session as the Financial Statement, because it may happen—and it may happen this year—that the amount which may be required in the course of the year depends very essentially upon legislation that is actually under consideration of the House, and which the House may not be able to dispose of until a more advanced period of the Session. However, this Statement, however desirable, is only a part of the question, because it does not include loans obtained by local authorities from sources other than Imperial, and I am very glad the local authorities should borrow on their own credit. I am quite certain that that will confer a much stronger sense of responsibility, and secure a much closer attention than would be the case under the slippery and perilous idea that they could go to a central source to borrow and draw upon the nation. I believe the doctrine laid down to be thoroughly sound, and I hope it will receive assent from all quarters. I need not say that it is the intention of the President of the Local Government Board to make a Statement of the kind to which the hon. Member alluded, and at as early a period as he can. The hon. Member knows the exceedingly abnormal circumstances of the present Session, and he knows under what difficulties the right hon. Gentleman opposite (Mr. Sclater-Booth), in the time of the late Government, laboured with regard to the fulfilment of their intentions in this respect. The hon. Member said that he hoped I would not say that this was a matter which must await the settlement of the great question of local government. I shall not say that. I do not think it is necessary that all progress in this important business should be postponed until the question of local government has been settled. At the same time, having said that I fully believe that great good will arise from an endeavour to improve the system of local accounts and accelerate the presentation of local accounts, and bring their presentation to a convenient period of the year—while believing that great good will arise from that, and also from the simple fact of an authentic official Statement in this House and a discussion by the House upon it—I am bound to say that I do not think it would be possible for us to cope with all the difficulties of the case without taking into consideration the serious difficulty we stand in as to the general despatch of our Business. Let us take the Indian Financial Statement. That is a question of a very formidable nature indeed, less directly relating to our own pockets; but it is a great Imperial question, and may have some possible relation to the Expenditure of the country. It was the full desire that that Statement should be made from year to year, at a period of the Session when it would be in their power to secure for it full attention; but notwithstanding that, under all Governments alike, it has been found impossible to draw the attention of the House until the year is exhausted. Sir, I feel convinced of this—we shall make no effectual provision for the satisfactory general discharge of our public duties until we recognize these two facts—fundamental facts—first of all, that we are in a great arrear of Public Business; and, secondly, that the system under which we live involves us almost daily in the very large waste of Parliamentary time. Under these circumstances, the enormous arrears of Business, and the enormous waste of time make a most formidable combination. submit to the judgment of the House an idea which may lead to something useful. We have a very valuable Committee sitting annually upon Public Accounts, and the effect of that Committee is to speak with great authority upon a difficult and intricate subject, which would not command much general interest in Parliament if it were made the subject of debate, and yet which it is of very great importance to examine. I am by no means sure that it is not worthy the consideration of the Gentlemen who are interested in local expenditure whether we might not be able to effect something useful by establishing a Committee of weight and authority which should have for its duty the regular review of Local Expenditure and Accounts, and the presentation to the House from time to time of the results of their employment. I do not venture to give on that subject any positive opinion; but I think it a hopeful matter to prosecute, and one worth examination. As regards the general question of Local Expenditure, it is, perhaps, of such magnitude that we cannot satisfactorily dispose of it now. I hope, however, we are approaching the time when these matters will no longer be dealt with as questions of rival interest betweeen the Local and Imperial Exchequers. As long as they are so dealt with, in my opinion, we shall do nothing but mischief. There is, undoubtedly, a fatal tendency in the system of what are called "Grants in Aid" both to relax the principles of economy in the country and to increase the country's aggregate expenditure. What we have to do is to strive honestly and impartially to keep down the aggregate total expenditure of the country. Whether it be local expenditure or Imperial, that is the interest, and that is the duty of Parliament. Next to keeping down the total expenditure, our duty is to see that the taxation by which it is to be met is freely and fairly apportioned; and in apportioning taxation what we have to do is to make a double examination—first of all of the way in which the taxation falls as between property and labour; and, secondly, of the way in which it falls as between real property and personal property. These two questions are totally distinct one from the other, as to the allocation between the two kinds of property; but as long as these questions are debated simply as questions of rivalry between the local and the Central Exchequer, we lose sight entirely of that. I only say that I do not believe those great questions can be satisfactorily disposed of until the question of local government has been thoroughly dealt with. The questions of improving the local accounts, and the Parliamentary supervision and moral influence to be brought to bear on the local expenditure, I hope, will go forth quite independently of the settlement of these greater questions, desirable as that settlement may in itself be. I think we all must feel that those who, like the hon. Member who proposed the Motion, and who spoke in this House in the interests of general economy and thrift in Local Expenditure, are really rendering a valuable and important service to the State.

Mr. SCLATER-BOOTH said, he must congratulate his hon. Friend the Member for South Leicestershire (Mr. Pell) on the encouragement he had received from the Chancellor of the Exchequer. He was very glad that the right hon. Gentleman had it in contemplation to continue the practice of making an Annual Statement to the House on subjects such as they now had before them. By the Local Loans Act, the Local Taxation Returns Act, and the Auditing Act—three Acts passed by the late Government—the foundation had been laid for a useful series of measures on the questions under consideration. He deprecated many of the remarks that had been made as to the tendency of local authorities generally to get into debt; but the best way at present to check the tendency would be by paying careful attention to the Private Bill legislation. It was by no means the case that all the local authorities were running a race to get into debt. Of £120,000,000, by far the greater part had been raised by half-a-dozen great towns, in whose case there was no cause for alarm, as their rateable value was quite sufficient to meet any pressure. The House and the country were very much indebted to his right hon. Friend the Member for North Devon (Sir Stafford Northcote) for the earnestness and ability with which he pressed forward the principles of the Local Loans Act; and he hoped his right hon. Friend opposite, when he came to make his Annual Statement, would make it under more favourable circumstances than had fallen to his own lot when at the head of the Local Government Board. The suggestion that a strong Committee, having power to review these questions, should be appointed, was an important one; and his hope was that such a Committee, when formed, would have more attention paid to it than the Committee on Public Accounts, which received less recognition in the House and the country than its merits deserved.

Mr. HENEAGE said, he thought that the hon. Gentleman who moved the Resolution ought to be satisfied with the Prime Minister's speech, which he thought would strengthen the hands of those local authorities who desired to economize.

Mr. S. LEIGHTON said, he hoped that in future, as the persons who paid the rates and taxes were, for the most part, the same, the two Budgets would be laid before the House as nearly as possible at the same period of the Session. It was a very rudimentary condition of finance which omitted from calculation the money required for the Public Services, because that money was derived from special burdens on a special class of property. When, for instance, £1,500,000 was paid for national education out of the rates, that sum should be stated, together with the sum which the Chancellor of the Exchequer demanded for national education out of the taxes. So with the expenditure on the administration of justice, and all these other heads of Local Expenditure, which were partly defrayed by the Imperial, partly by the Local Exchequer. Otherwise the public were but partially informed of their liabilities. No proposal could be more disastrous than to relegate Local Taxation to a Grand Committee. For Local Taxation reformers desired that some Minister of first rank should be held personally responsible for burdens imposed on the ratepayers through the agency of the Government. They did not care for the irresponsibility of a Committee. The local expenses, of which complaint was made, were almost entirely due to the interference of the Imperial Government. In Shropshire they were now paying for police, highways, and other purposes, £40,000 a-year more than was paid in 1870. It was the same in every other county. Too much had been made in that debate of debts of local authorities for purely local purposes, such as towns' improvements.

That source of expenditure, though deserving of the closest attention, was of a different character and origin to the expenditure for purely national purposes. It was to the latter department they wished to direct attention. The speech of the Prime Minister meant delay and procrastination, and, therefore, was not satisfactory to him.

MR. R. H. PAGET said, that, speaking from his own experience, he must characterize the charge of extravagance which had been brought against the local authorities in dealing with subventions as not being well founded. The enormous amount of Local Loans of which they sometimes heard had, for the most part, been incurred for sanitary improvements under the direction of the Local Government Board. It was true that local self-government tended to develop great diversity of views among local authorities; but, on the whole, it was much to be preferred to centralization.

Question put, and *agreed to.*

## TRADE AND COMMERCE—RECIPROCITY.—OBSERVATIONS.

MR. MAC IVER, who had given Notice of his intention to move—

> "That Customs Duties should be replaced upon such Foreign importations as come into unfair competition with the industries of Great Britain and Ireland,"

said, that he intended, after introducing the subject, to defer the Motion until Mr. Ecroyd, the new Member for Preston, elected in the place of the late Mr. Hermon, had taken his seat. His conviction was that the victory achieved by Mr. Ecroyd was due to his support of such views as those which were set forth in the Resolution, as well as to the disgust which the country felt at the policy of a Government who talked of retrenchment, and had asked for £85,000,000 to carry on the government of the country, being the largest sum ever asked for by any Government, and, while always preaching peace, had troubles on hand in every quarter of the globe excepting Australia and America. He wished to take that opportunity of adverting to the practice which the Chancellor of the Duchy of Lancaster (Mr. John Bright) had resorted to of writing letters. The right hon. Gentleman had written letters that were certainly not polite letters, letters certainly that a statesman scarcely ought to have written, and letters which he (Mr. Mac Iver) much regretted, because he was not insensible to the respect which was due to a Gentleman with grey hairs who had spent a long life, however mistakenly, in the service of his country. At one time the right hon. Gentleman had spoken of the Reciprocity agitation as only fit for fools and simpletons. He believed that the right hon. Gentleman had even called those who took up this question a set of lunatics. In his own case, the right hon. Gentleman had gone so far as to call him something which made him out to be a liar. Then, again, at a meeting at Birmingham, the Chancellor of the Duchy of Lancaster was good enough to describe him—at least, he thought the reference was to him—as a wretch. Such language did him no harm, and if it pleased the right hon. Gentleman to continue such language, it could only recoil upon himself. The last occasion on which the right hon. Gentleman used language which they must regret was in reference to the late Mr. Hermon, whose speech he finally wound up by describing as "confused nonsense." Mr. Hermon rather felt those words; and it was his intention, had he lived, to have seconded the Motion which stood on the Paper for this evening. After Mr. Hermon's death he had written to Mr. Ecroyd, expressing his readiness to place the Motion in that Gentleman's hand in the event of his return for Preston; but he had received a reply stating that Mr. Ecroyd would not be able to take his seat that night in consequence of being called upon to address a meeting at Bradford at the invitation of Mr. Shepherd, President of the Chamber of Commerce, and on a requisition signed by 10,000 working men of Bradford. As he saw the junior Member for Bradford (Mr. Illingworth) in his place, he would take the opportunity of putting to him the following questions, which had been suggested by a correspondent:—

> "If there is no distress in Bradford, how comes it that the poor rate is now 3*s.*, whereas recently it was only 2*s.*? Is it correct that your own firm has one mill standing idle, and the other working only four days a week?"

He might remark that the speech of Lord Beaconsfield, in reply to Lord Bateman, had been most unfairly quoted in reference to views such as were held by Mr. Ecroyd and himself. Lord Beaconsfield's words were not directed against proposals such as those of his (Mr. Mac Iver's) Resolution. He (Mr. Mac Iver) was a humble follower of Mr. Ecroyd, and was prepared to give his adherence to everything that Gentleman had written on the subject of Free Trade *versus* Protection. He wished the House to understand that he had stood by his guns, and that he deferred that Motion in order that it might at a later day have full justice done it by Mr. Ecroyd. He might say, however, that he had letters from Birmingham, Bradford, Sheffield, Dewsbury, Wakefield, Manchester, and other towns—to name which would occupy too much time—in support of the views he entertained. This reminded him of what had once been said to him by Mr. Hardcastle, who, he regretted to say, was no longer a Member of the House. Mr. Hardcastle had said to him, after he had made a speech in the House on this subject—"First people begin by calling you a fool; next they begin to say there is something in your argument; and the third step is success." He thought he saw success before them at no very distant period. The House would remember that on many occasions he had addressed Questions to the Government with reference to our commercial relations with foreign countries; but the answers had been of a very vague nature, without any information. All that could be ascertained was that the Government were giving the matter their consideration or making representations. With regard to the *surtaxe d'entrepôt* and the shipping bounties, he thought he had some reason to complain of the Under Secretary of State for Foreign Affairs. The Under Secretary did not know anything whatever of the subject, or, if he did, he had no business to answer as he did. The French, by means of their bounty system, were rapidly acquiring a useful Navy. They offered a premium that amounted to 12 per cent per annum upon all ships constructed in France; and even if the vessel was constructed in England or elsewhere, and was of French ownership, they still gave, for the sake of getting control of the property, what was practically a handsome dividend. That was all managed, as everybody knew by the Foreign Office, and the arrangement was in direct violation of the Most Favoured Nation Clause, or else it showed that the Most Favoured Nation Clause was worthless. He should be very glad if the Under Secretary could show that he was right and he (Mr. Mac Iver) was wrong; but, unfortunately, he knew he was not wrong. The French Government could not get rid of the bounty system for at least 10 years, and he should like to know what reply the Government would get from France in answer to their representations. With regard to the *surtaxe d'entrepôt*, England happened to be in the geographical position that a clause which nominally affected all other nations only affected her. England was, or ought to be, the depôt for supplying France with foreign importations. That was formerly a very useful and important trade; but it had been practically put a stop to by the tax upon indirect importation. If the Under Secretary of State for Foreign Affairs would press home the question as he ought to do, in justice to our shipowners, merchants, and brokers, and insist that importations of goods for foreign countries through England should be taxed the same as if they had been directly imported from foreign countries, there might still be a chance of his succeeding. There was a suspicious look in a good many of our Free Trade negotiations. He could not help thinking that some of the growing willingness of France to negotiate with England arose from one of three causes, or, perhaps, to a combination of them all. Firstly, they saw that there was a growing dissatisfaction among all classes of the community of England, and that it was by no means as certain as Frenchmen used to think that they would be allowed to continue to plunder us as they pleased. He thought, in the second place, that France wanted to conciliate public opinion in this country upon the Tunis Question. They must feel that there was a very wide difference between the friendly suggestions of Lord Salisbury and what they had actually done; and they could not help feeling that if a Conservative Government had been in power there would have been strong remonstrance against the unprovoked attack on a portion of the Ottoman Empire. A third reason was that, in common with the rest of the world, France could not be blind to the blunder of Her Majesty's

Government, and to the probability that could not be far distant when Her Majesty's present Advisers would be out of Office. The only hope as regarded securing better commercial arrangements with France was that something like a business-like tone should be introduced into the negotiations now pending. He asked the House to remember that the exports from England to France of raw materials from 1863 to 1879 amounted in value to 60,000,000f., while the imports of raw materials during the same period from France to England did not amount to one-third of that stated value. Our exports to France of articles of luxury were a mere trifle, while our imports from France of like goods amounted to 5,274,000f.; while of manufactures generally, our exports to France, as compared with our imports from France, were as 37,000,000f. in value to 72,000,000f. He had only, in conclusion, to say that the proposal he had placed on the Paper was based upon principles advocated by Adam Smith and strongly supported by John Stuart Mill. Adam Smith, in *Wealth of Nations*, said—

> "The case in which it may sometimes be a matter of deliberation how far it is proper to continue the free importation of certain foreign goods is when some foreign nation restrains by high duties or prohibitions the importation of some of our manufactures in their country. Revenge in this case naturally dictates retaliation, and that we should impose the like duties and prohibitions upon the importation of some or all of their manufactures into ours. There may be good policy in retaliations of this kind when there is a probability that they will procure the repeal of the high duties or prohibitions complained of. The recovery of a great foreign market will generally more than compensate the transitory inconvenience of paying dearer during a short time for some sorts of goods."

And the following remarks were made by John Stuart Mill in his *Principles of Political Economy* :—

> "A country cannot be expected to renounce the power of taxing foreigners unless foreigners will in return practice towards itself the same forbearance. The only mode in which a country can save itself from being a loser by the revenue duties imposed by other countries on its commodities is to impose corresponding revenue duties on theirs, only it must take care that those duties be not so high as to exceed all that remains of the advantage of the trade, and put an end to importation altogether, causing an article to be produced at home or imported from another and dearer market."

The authors of these opinions were not Protectionists—the Protectionist theory of the old times had passed away, but not more completely than the theories of Free Trade. He thought the time had arrived when the country should reconsider its fiscal system in the light of present circumstances. The time had come when we should decide as business-like men to adapt ourselves to our present position, by practising Free Trade as far as it was possible, and Protection as far as it was necessary.

MR. SLAGG said, the hon. Member for Birkenhead (Mr. Mac Iver) had not made to him his meaning particularly clear, and he thought others were in the same condition of mind with himself as to what the hon. Gentleman really meant. The hon. Member referred, in the course of his speech, to the triumph of his opinions as illustrated by the return of Mr. Ecroyd for Preston. He had the advantage lately of reading the arguments of Mr. Ecroyd, and he must say that they conveyed to him no more concise impression of what was intended by the present movement in regard to Protection or Reciprocity than the arguments of the hon. Gentleman who had spoken to-night. He believed Mr. Ecroyd wished to impose duties upon the food supply of the people of this country; and if that was the idea which the hon. Gentleman wished to place upon his banner to-night, and which he very wrongly attributed to the Tory Party as being adopted generally by them, he would find very little support in the country; and none whatever from thinking Members in the House. The hon. Gentleman said a great deal as to the French Treaty. He told them several times that this country was being persistently robbed by France; but he (Mr. Slagg) wished to ask whether it was robbery to buy a thing from France at a cheaper price than we could make it for ourselves? It seemed to him that was not robbery, but a distinct advantage. Because the French were too short-sighted in regard to political economy to buy from us on the cheapest possible terms, it did not seem to him at all to mend matters that we should refuse to buy from them as cheaply as we possibly could do. The hon. Gentleman had further said a great deal on the subject of the bargaining process that had taken place in our negotiations with France, and particularly with regard to the Treaty of 1860, and he seemed to think there was something very wrong in that proceeding. He (Mr. Slagg) was not one of those who advocated the bargaining process in relation to commercial negotiations. He thought it was very much to be deplored, and it was only on the ground of the absolute necessity of presenting some concession to France by way of duties in order to induce her to make similar concessions to us that Mr. Cobden entertained the idea. Mr. Cobden did not look upon it, he was perfectly sure, in the light of making a concession to the disadvantage of England, for it was his intention not only to concede those duties to France, but simultaneously to concede them to all the world. At the close of the last Session the Prime Minister introduced into his Budget scheme a further concession on the Wine Duties in order to facilitate negotiations with the French in reference to further concession on their part. He was not sorry that that proposal fell through, because the fact that we had now nothing to offer France which she considered valuable as a concession really placed the subject on the true and pure basis of trade between the two countries. The bargaining process, he was happy to find, had now gone by altogether, so that the Treaty could never be reproached in the future with being accompanied by some process which was thought, in a measure at least, antagonistic to pure Free Trade principle. The hon. Gentleman again had said that we should be prepared to impose duties in our present negotiations with France. He (Mr. Slagg) entirely disagreed with that proposition. He thought it could not be shown that such a process would be of the slightest advantage. On the other hand, if it were possible to lower duties in the forthcoming negotiations, he should be very glad to do so, and the only retaliation which we could possibly make in the present situation was not in the direction of increasing duties further, but in the direction of lowering them. For instance, he thought it would be possible for us to make concessions in regard to the Wine Duties of Spain and Portugal, and thus to place those countries on a much more favourable footing than they occupy at the present moment. Such a step as that might possibly stimulate France to a better frame of mind in regard to her treatment of us. But the fact was really this—that the French did not any longer value a reduction of their Wine Duties. Having suffered from three or four bad harvests, they did not now produce as much wine as they could consume in their own country. He thought they had given up the idea altogether of providing this country with a lower class of light clarets, and we could dismiss altogether the notion that the French valued such concessions. The argument of the hon. Member was not new with regard to suffering industries and robbing the population of this country. It was heard whenever any particular industry was in a condition of temporary depression; and economists, such as the hon. Member for Birkenhead, seemed to have no other resource in their mind for the amelioration of a suffering industry than to rush to some form of taxation. Who paid the duties that were to be imposed? The hon. Gentleman did not go into that question. If he could assure him that the exporter paid the duties on their arrival on this side, he (Mr. Slagg) would go with him heartily; for he could not imagine a more delightful thing than to force the foreign exporter to pay the taxes in one's own country; but if such a thing were possible it would have been found out long ago. Not only England, but every other country, would have been in the game. They knew, however, as a matter of fact, that the consumer pays every farthing of the tax. He often noticed that the professors of Protection or Reciprocity stopped short at one very important point. They did not state upon what they were going to impose their duties. His task would have been very much easier to-night if the hon. Gentleman had told him precisely the method in which he intended to apply those duties; but the hon. Gentleman left that entirely to the imagination of his hearers, and certainly Reciprocitarian imaginations were very active indeed in the absence of facts and arguments. Would the hon. Gentleman impose a tax upon cotton? He, as a Lancashire Representative, would strongly resent any idea of that sort. He knew perfectly well it would handicap them in every market in the world, and they would then have to compete in third markets with their neighbours, the French, who were now nearly abreast of them in that industry. Would the hon. Gentleman put a tax upon iron? The loom-makers, so far as his own district was concerned, would certainly not stand that. They had a keen competition already with other countries. They supplied machinery for the whole of the world, and it would be out of the question to impose a tax upon this material. It seemed almost a waste of time to ask if his hon. Friend would impose a duty upon corn? They knew the agricultural industry of this country was suffering very seriously indeed from foreign competition; but in what respect would a protective duty help it? Could it be shown that it would have the slightest effect in lessening the burdens on agriculture? What was becoming more and more apparent every day was that agriculture required freedom of land, free sale, and easy transfer. There was a peculiar danger, a peculiar impropriety, in pushing those retrograde notions forward at present. They were on the eve of negotiating a Treaty with the French, and if they allowed them to think it was the opinion of a large number of English economists that it was a good thing for us to impose duties on articles we import, we had no excuse to ask them to remit duties. To make such a proposition at the present time, he thought, would work serious mischief. Again, as to robbery, he did not assume that the trade was done between one country and another without profit. Merchants did not go on importing for a series of years without making something out of it. What had been the result of their commercial relations with France? In 1859 their exports to that country were £4,000,000 and their imports £16,000,000. They had increased since then, and their total trade with France was now over £53,000,000. Surely that was a very great advantage to everyone who had dealt in the articles concerned. But there was another point on which he might dwell for a moment, and it consisted in the very great importance of trade in the political relations of the two countries. In the old days of Lord Palmerston everyone would remember that their political relations with France were of the most suspicious character. He was sure that he was not wrong in attributing to the Treaty, in a very great measure, the friendly and sensible tone which had since sprung up, and anything which threatened to destroy that Treaty was to him (Mr. Slagg) a great political as well as a commercial mistake. In relation to what they were about to do with France, he agreed with the hon. Gentleman when he said that they should allow no Treaty to be made which was worse than the Treaty now existing. The present Treaty had largely increased their commercial intercourse and developed good relations between the two countries. To that extent it was a success, and he maintained it would be wrong for this country to put its name to a Treaty which should be in the slightest degree worse than the present Treaty. They were led to suppose last year, in the correspondence between M. Léon Say and Lord Granville, that the new Treaty would be based on an amelioration of the existing Treaty; and he thought that all commercial bodies would support him in saying that they should decline, in the interests of Free Trade, to negotiate unless they actually secured some improvement on the old tariff. The hon. Member said that Mr. Ecroyd would soon be among them, and that he would give them his views. He hoped he would. He should like to have a discussion on the whole question of Free Trade. It seemed very sad to have to make the statement; but there were evidences, which could not be ignored, that these retrograde doctrines were taking hold in some quarters of the community. He believed they came entirely from those interests which had suffered a temporary depression from foreign competition. When competition assailed them through exports from foreign countries a most wholesome stimulus was really applied to their industries. Improvements were introduced, economies were practised in every direction; and, as a thorough Free Trader, he welcomed imports of all descriptions as being a benefit to the consumer, and also as being an excellent stimulus to the manufacturer. When it was found that by no process of ingenuity or economy could he compete with the foreigner it was time for him to declare that the industry in question was no longer fitted for the country, and betake himself to some other more profitable and congenial occupation of his capital.

## IMPORT DUTY ON FOREIGN BARLEY AND MALT.—OBSERVATIONS.

COLONEL BARNE, who had the following Amendment on the Paper :—

> "That it be an Instruction to the Committee to consider the desirability of placing a duty upon the import of foreign barley and malt,"

said, he was quite aware that in the present composition of the House of Commons his views on this question would receive no large amount of support; but, as sure as the sun would rise tomorrow, so sure would this subject be brought prominently forward during the next very few years. The artizans had now found out the fallacies which were imposed upon them by Cobden and the right hon. Gentleman the Member for Birmingham (Mr. John Bright) 30 years ago; and they were beginning to ask what was the use of having a cheap loaf when they had no money to buy it with? The supporters of the system of Free Trade contended when it was adopted that all the other nations of the world would follow our example; but America and France and Germany were too astute to take that course, and the consequence was that there was not an industry in the country which was not being undermined by foreign competition. He ventured to say that the negotiations which were pending for a new Treaty with France would entirely break down, because we had nothing to offer in return for concessions. The majority of the people of this country were and ought to be producers, and there could be no doubt that it was in the interests of the producers to prevent foreign competition. There was hardly a trade in England that was not suffering from foreign competition. The other day he observed from a paragraph in *The Standard* that at a meeting in Birmingham with reference to the proving of firearms, it was stated that, whereas 10 years ago 36 per cent more gun barrels were proved there than at Liège, that state of things had been rereversed, Belgium now proving as many more than England; whilst, moreover, we had been importing fowling-pieces, and paying away to foreigners money which, by having the article made at home, we ought to keep in our own pockets. At the present time our imports exceeded the value of our exports by £60,000,000 per annum, a state of things that evidently could not continue. A Return published in 1878 showed that 14,000,000 cwt. of barley was annually imported into this country. Now, he did not ask for a foreign import duty on wheat, not wishing to tax the food of the people, but he would rather tax their drink, in which object he thought he might claim the support of the hon. Baronet the Member for Carlisle. The right hon. Gentleman the Member for Birmingham (Mr. John Bright) was, unfortunately, not in his place; but he wished to call attention to a letter written by him on April 15 of the present year to the effect that the home trade was bad mainly or entirely because the harvest had been bad for the last few years. Of course, if there had been good harvests trade would have suffered less; but foreign competition was so strong that British agriculture would have suffered a good deal in any case. It no longer paid to grow wheat, and the farmer's only chance was to get a fair price for his barley. In introducing the Bill before the House the Chancellor of the Exchequer had congratulated the brewers on the low price of barley. [Mr. GLADSTONE: On the high price.] But the farmers were unable to get a high price for it this winter, and the right hon. Gentleman must have been exceptionally lucky if he had himself been able to do so. The accounts from the agricultural districts were very distressing, and it seemed probable that of the £400,000,000 which, according to Mr. Caird, the tenants had invested in the soil, at least half was lost. In order to preserve to the farmers their last resource, he suggested that an import duty of 5*s.* a quarter should be put on foreign barley and malt. The right hon. Gentleman the Member for Birmingham, in the letter he had just quoted, had expressed his opinion that the chief reason against a return to Protection was that we should have to confess to Protectionists abroad that we ourselves had been wrong and they right, and that Protection would be henceforth the justified policy of all nations. It might be doubted, however, whether it was worth while utterly to destroy the trade of the country in order to save the political credit of the right hon. Gentleman and his Party. If we had hitherto been wrong, we ought to put our pride in our pocket, and, following the example of other nations, levy an import duty on foreign produce.

## THE PROBATE, LEGACY, AND SUCCESSION DUTIES.—OBSERVATIONS.

MR. ALDERMAN W. LAWRENCE said, that if the Forms of the House had permitted, he intended to have proposed—

> "That no alteration of the Probate, Legacy, or Succession Duties can be satisfactory that does not at the same time provide for the imposition of the same duties upon freeholds as those imposed upon leaseholds."

The changes made by the late Chancellor of the Exchequer had not been just or equitable, although, now, useful alterations were proposed. Neither the late nor the present Government had taken upon themselves to look into this subject thoroughly, and to consider the enormous amount of freehold that was, at present, exempt from Probate Duty. He brought the subject before the House, not because he thought the Chancellor of the Exchequer could be expected to make an alteration in the Budget now, but to impress on the House that the country was not satisfied with the present arrangement. He hoped the duties would be placed on a fair, equal, and just foundation.

MR. GLADSTONE pointed out that, although the subjects of the speeches delivered that evening were of very great interest, yet they were entirely incongruous the one with the other, and the only feature they possessed in common was that no practical issue or decision could result from them. He appealed to those other hon. Members who had Notices on the Paper to forego them, and allow the House to go into Committee. It was of very considerable importance that the Government should be allowed to proceed with the practical proposals which were in the Tax Bill of the year. He did not say there was anything unreasonable in discussing any of those matters; but the House would see that the Government were greatly strained and pressed; and, as the time was now at hand when the change in the Probate Duty was appointed to take place, great inconvenience would arise, both in regard to that matter, and also in regard to the Income Tax, if there should be any longer delay in proceeding with the Bill. It would likewise be undesirable to be compelled to postpone the Irish Land Bill in consequence of the necessity of passing this measure. He therefore ventured to express the hope that after the discussion that had arisen the Government might be permitted to have the Motion put, "That Mr. Speaker do now leave the Chair."

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title) *agreed to.*

PART I.—CUSTOMS AND EXCISE AS TO CUSTOMS.

Clause 2 (Import duties on tea).

MR. H. H. FOWLER said, he could not allow this clause to be passed without entering a protest against the continued imposition of the exorbitant duty upon tea, which he considered to be one of the prime necessaries of life. The tax at present stood at 6*d.* in the pound, and the sum levied amounted, he believed, to between £3,000,000 and £4,000,000 sterling. He protested against the tax because he believed it to be an unequal and unjust tax, which pressed most heavily upon the working classes of this country. He would ask the Committee to consider what the tax was. It was a tax producing nearly £4,000,000 upon an article the annual value of which, when imported into this country, did not amount to £12,000,000. It was practically, therefore, a tax of from 30 to 40 per cent upon a prime necessary of life. He understood that one of the great principles which had been introduced into the fiscal arrangements of the country was that no taxes should be levied on actual necessities, but, as far as possible, should be confined to luxuries. He maintained that all Customs duties were paid ultimately by the consumer, and this tax—a tax amounting to between 30 and 40 per cent upon the cost of the article—was paid principally by the working classes of the country. He knew that it was too late to raise the question except by way of protest; but he certainly did protest against the luxuries of the most luxurious age of the most luxurious country in Europe passing practically untaxed, while one of the necessaries which entered largely into the consumption of the working classes was taxed to the extent tea was. He hoped the right hon. Gentleman the Chancellor of the Exchequer would next year be able either to see his way to a reduction of the National Expenditure, which he (Mr. H. H. Fowler) considered to be excessive and altogether unnecessary, to such an extent as to enable him to dispense with this imposition, or that he would grapple with the question; and if it was still necessary to raise £4,000,000 a-year in the shape of Customs duties, the sum would not be raised upon one of the prime necessities of life.

Mr. GLADSTONE: My hon. Friend will be aware of the reason why this imposition appears in its present form. Instead of the Tea Duty being enacted as a permanent duty it is put in the form of an annual Vote, so that Parliament may be able to maintain a control over it. That is the sole reason why it comes before us to-night. With regard to the duty of 6*d.* in the pound upon tea, I agree very much in what has been said by my hon. Friend. There is only one word which I object to—namely, the observation of my hon. Friend that this duty has remained unnoticed. That is certainly not the case. When I came into Parliament the average duty upon tea was 4*s.* a pound. It was then reduced to 2*s.* per pound, and now it has gradually got down to 6*d.*, which I am sure my hon. Friend will not deny is a much more satisfactory state of things than when the duty stood at 4*s.* per pound. With respect to the question of economy, my hon. Friend seems to think that it is in the power of the Chancellor of the Exchequer to determine what shall be the nature and scale of the Expenditure of the country. I wish it were in the power of the Chancellor of the Exchequer to determine the scale of the Expenditure of the country, I might then hope to give some satisfaction to my hon. Friend. But there are other things to be taken into consideration which stand in the way, and reduce within very narrow limits indeed what the Chancellor of the Exchequer and his able and efficient coadjutor the Secretary of the Treasury can do.

Mr. GORST remarked, that it was very easy for hon. Members on the Liberal side of the House to make vague general protestations of their desire to secure economy in the National Expenditure. He should like to put the zeal of the hon. Member for Wolverhampton (Mr. H. H. Fowler) to a practical test. In a short time, perhaps in the course of a month or two, the Irish Land Bill would have passed through Committee, and the House would go into Committee of Supply. When that event arrived, he would invite the hon. Member for Wolverhampton to attend in his place and point out to the Committee how the expenditure could be reduced, not by £3,000,000, but even by £1,000,000. If the hon. Member would point out to the Committee of Supply how it was possible to reduce the expenditure, either in the present or in future years, by the sum of only £1,000,000 sterling, he would render a great deal more service to his country and to his constituents than by making these vague, general, and meaningless harangues.

Sir GEORGE CAMPBELL said, there was one word to which he must take exception in the speech of his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler)—namely, the part in which his hon. Friend described tea as a necessary of life. It appeared to him (Sir George Campbell) that tea would be more correctly described as one of the luxuries in which the masses of the people indulged. There were, however, a great number of the luxuries of the rich untaxed while the tea of the poor was taxed, and he hoped the time would soon arrive when the right hon. Gentleman the Prime Minister would be able to get rid of this tax, and give to the country a free breakfast table.

Mr. MAC IVER said, he would move that the clause should not stand part of the Bill. He thought it was unwise to tax either tea, cocoa, or coffee; and he should like to know to what extent these and other dutiable articles were produced by our own Colonies? He was of opinion that we committed a great injustice in placing heavy taxes upon the produce of our Colonies, in addition to which we indicated to those Colonies that we were not sincere in our dealings with them. He failed to see, while the country professed to maintain Free Trade principles, why we should impose duties in England, either upon tea from our Indian settlements, or upon coffee from the Colonies, no matter whether they were regarded as necessaries of life or as luxuries. When the Government proposed to tax the produce of the Colonies they did a great deal towards indicating to the rest of the world that the present occupants of the Treasury Bench were not sincere in their endeavour to promote the cause of Free Trade. How could we hold ourselves up as the pioneers of Free Trade when we taxed the produce of our own Colonies? How could we reasonably go to foreign countries and ask them to reduce their tariffs in our favour on our home productions, when we set them the very bad example of placing a heavy tax upon our own Colonial produce? Upon these grounds he would appeal, not to the hon. Member for Wolverhampton, but to another hon. Member who sat on the Liberal side of the House (Mr. Macfarlane), to show that he had the courage of his convictions, and join with him (Mr. Mac Iver) in moving the rejection of this clause. He did not anticipate that his appeal would have much success, because, unfortunately, Liberal professions and Liberal principles were widely different from Liberal practice and Liberal politics; and hon. and right hon. Gentlemen who composed Her Majesty's Government were not always ready, when in the possession of power, to carry out the policy they had indicated to their constituents when out of Office. He thought he was fully justified in moving the rejection of the clause upon two grounds—first, that the duty pressed heavily upon the people of this country; and, secondly, because, so long as we continued to impose it, we afforded a proof to other countries that we were not sincere in the professions we made in regard to Free Trade.

THE CHAIRMAN: It is not necessary that the hon. Member should move the rejection of the clause. It will be quite sufficient to negative it.

MR. H. H. FOWLER wished to say a word in reply to the remarks which had been made by the hon. and learned Member for Chatham (Mr. Gorst). The hon. Member had been kind enough to address a lecture to him (Mr. H. H. Fowler), as, indeed, he was often in the habit of doing to young Members of that House. He was quite ready to answer the challenge of the hon. and learned Member, and he would tell him how not only £1,000,000, but £3,000,000 of annual expenditure, might have been saved. It was caused entirely by the warlike expenditure of the last Administration.

Clause *agreed to.*

Clause 3 (Alteration of Customs' duties on beer).

MR. HICKS moved, in page 2, line 16, after the word "of," to insert the words "not exceeding." He did not believe that the insertion of these words would have any practical effect upon the Bill; but he thought they would make the meaning of the clause more clear to all those who were interested in the operations affected by it. If the Government objected to the Amendment he would not press it.

Amendment proposed, in page 2, line 16, after "of" insert "not exceeding."—(*Mr. Hicks.*)

MR. GLADSTONE said, the hon. Member admitted that the insertion of these words would not affect the meaning of the Bill. He (Mr. Gladstone) would therefore much rather adhere to the language of the clause, which had been drawn up in the most convenient form.

Amendment *negatived.*

MR. HICKS moved, in page 2, line 17, to leave out "six shillings and sixpence," and insert "eight shillings." Without wishing to detain the Committee for any length of time, he thought it was desirable he should show why the proposed duty of 6*s.* 6*d.* should not be accepted. It might, perhaps, appear to hon. Members who had not carefully examined the subject that this was a trifling and unimportant alteration, and an increase of taxation; but it was not so in reality, and the object of his Amendment was to provide that the duty on foreign beer should remain as it was at present. It would be in the recollection of the Committee that last year, when the right hon. Gentleman the Chancellor of the Exchequer brought forward his second Budget, he used these words—

> "The Malt Tax is a well understood farmers' grievance, and the circumstances of the present time have made Her Majesty's Government consider it their special duty to examine, as well as they could, the position of the cultivators of this country in relation to the law of the country. We have exposed them to perfectly unrestricted competition, and the effect of that competition has, undoubtedly, become more severe during the last two or three years."

Having admitted the grievance, and having pointed out the difficulties in which the cultivators of the soil were placed, the right hon. Gentleman proposed to remove that grievance by substituting for the duty on malt a duty on beer, and making the latter duty some 15 per cent more than the Malt Duty was originally. The duty on malt was 21*s.* 8*d.*, and it was proposed to substitute a Beer Duty of 25*s.* How that increase of taxation was to benefit the farmer, or how the right hon. Gentleman could suppose that it would be to his advantage, he (Mr. Hicks) was at a loss to conceive. But whatever the position of the cultivators of this country was last year, at the present moment their position was undoubtedly worse. They had had a series of bad harvests, and the price of barley had gone down. Yet, in the face of these facts, the Chancellor of the Exchequer came forward now and asked the House to reduce the duty on foreign beer. He (Mr. Hicks) appealed to the Committee to reject the proposal in justice to the cultivator of the soil, in the interest of those who were desirous of brewing real beer for the consumers of this country, and also in view of the present financial position of the country. It was now something like 35 years ago that they started on a voyage in search of Free Trade. Since that time, it was true that they had had free imports into the country; but he had not yet been able to discover anything approaching to Free Trade. The more they had opened their ports the more foreign countries had opposed them. Their free imports were met with hostile tariffs. The more they preached Free Trade the more foreign countries laughed at them, and not only set up tariffs against them, but also imposed bounties on their own produce in order that it might be able to compete with ours. Nevertheless, under these circumstances, the right hon. Gentleman the Chancellor of the Exchequer came forward and asked the Committee to reduce the duty on foreign beer. At the present moment the duty on foreign beer of a specific gravity up to 1,065 degrees was 8*s.* a barrel, and he was informed that that was really a very low duty. It was now proposed to reduce the duty from 8*s.* to 6*s.* 6*d.* per barrel on beer of a specific gravity up to 1,057 degrees. This meant a reduction of 18 per cent with a still further reduction, which would ultimately reach about 45 per cent upon beer of a less specific gravity. It was further proposed to make this reduction at a moment when there was no country in Europe that would admit English beer into its ports or towns at a less duty than 8*s.* per barrel. In France the duty was 7*s.* 6*d.* per barrel with a municipal tax of 6*d.*; in Germany the duty was 8*s.*, and in Portugal the duty amounted to no less than 120 per cent upon the value. And yet, in the face of the present depressed condition of the agriculture and trade of the country, we were asked to reduce the duty on foreign beer. Taking all the circumstances into consideration, he had no hesitation in asking the Committee to reject this proposal. He proposed to move, in page 2, line 17, to leave out 6*s.* 6*d.* and insert 8*s.*, which was the present duty. He was informed by the Clerk at the Table that he was perfectly in Order in making this proposition, seeing that the Amendment did not involve any increase of duty; but if there was any doubt about the matter he would move the omission of the clause.

MR. GLADSTONE: I am very sorry that I cannot accept the Amendment, and I have to point out that it is contrary to the Rules of the House, in a technical sense. The Rules provide that no proposal shall be made except by a Minister of the Crown for the increase of taxation, and the proposal of the hon. Member undoubtedly does involve an increase of duty, because the present duty, as he has truly said, is 8*s.*; but then it is 8*s.* on beer of a specific gravity up to 1,065 degrees, and he proposes that it shall be 8*s.* on beer up to 1,057 degrees, so that at this rate there would be an increase of duty on beer above a specific gravity of 1,057 degrees.

MR. HICKS believed that he was strictly in Order in proposing the Amendment, the object of which was to retain the present duty of 8*s.* per barrel not only upon beer of a specific gravity of 1,065 degrees, but upon all other descriptions of beer of a less specific gravity.

MR. GLADSTONE: The clause reads "The worts of which before fermentation shall be of a specific gravity not exceeding 1,065 degrees."

MR. HICKS: Not exceeding.

MR. GLADSTONE: Yes; but to fix the duty at 8*s.* upon beer up to a specific gravity of 1,057 degrees would be in effect to increase the tax.

THE CHAIRMAN: The hon. Gentleman will be quite in Order in objecting to the reduction of a tax; but it is not in his power, as a private Member, to propose any increase of taxation. Therefore it is not competent for him to move the Amendment.

MR. HICKS: Can I move the omission of the clause altogether?

MR. MAC IVER begged to move that the last six lines of the clause be omitted.

THE CHAIRMAN: The Amendment proposed by the hon. Member for Cambridgeshire (Mr. Hicks) applied to line 17, and it is not competent for the hon. Member for Birkenhead (Mr. Mac Iver) to go back further than that line.

MR. MAC IVER said, he would propose, then, that line 17 be struck out of the clause. He believed he should be quite in Order in moving that Amendment. He thought his hon. Friend the Member for Cambridgeshire had not given to Her Majesty's Government the credit due to them for their consistency. It was only appropriate that a Government which proposed to tax our own Colonies should, in the next clause, propose to reduce the taxation upon the beer of foreign countries. He thought the Government deserved such credit or discredit as might be due to them for the consistency with which they were acting in the matter.

Amendment proposed, in page 2, line 17, to omit the words "and so in proportion for any difference of gravity."—(*Mr. Mac Iver.*)

SIR WALTER B. BARTTELOT hoped that the hon. Member for Birkenhead (Mr. Mac Iver) would not persist with the Amendment. At the same time, he was bound to say that the right hon. Gentleman at the head of the Government should have given some fuller and clearer explanation of the reason why this reduction was proposed, and why, when there was so small an amount of difference in the specific gravity, he should propose a reduction of duty on foreign beer. The Committee knew perfectly well that it was a change which was against the British farmer and the British producer; and it was upon that ground he asked the right hon. Gentleman to give them some more explicit reason than he had yet stated why he thought it wise and right at this particular time, when there was depression all over the country, especially in the agricultural interest, that favour should be shown to the foreigners. At the same time, whatever the reason might be, he hoped his hon. Friend would not move the rejection of the clause. He could not help thinking that it would be absurd to persist with the Amendment, because he was quite sure that the right hon. Gentleman the Prime Minister must have good reasons for making the proposition.

MR. GLADSTONE: I think the effect of the Amendment would be that foreign beer, imported in worts before fermentation, of a specific gravity not exceeding 1,057 degrees, would pay a duty of 6*s.* 6*d.*, while foreign beer with a greater specific gravity would pay nothing at all. As that would be the result of the Amendment of the hon. Member for Birkenhead, I may fairly appeal to the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) and other hon. Members near him not to support it. What I am doing now is simply following the uniform practice upon all occasions when we have had to deal with Excise duties upon commodities imported into this country. The Excise duties remain for the moment unchanged, or only partially changed, so as to leave in them a good deal that is of a protective character. I have proceeded on the principle that, as we cannot propose the repeal of these duties, it is desirable to ascertain and fix an exact equivalent as far as we can. Then comes the question as to the amount of disadvantage, if any, at which the British manufacturer stands in consequence of the Excise restrictions. The home manufacturer pays a duty of 6*s.* 3*d.*, and we place an additional duty of 3*d.* upon the foreign manufacturer, in order to counteract any disadvantage at which the British manufacturer may be placed. I believe that the difference which is imposed, as I have said, in consequence of the Excise restrictions is an ample addition. I do not say that it is an extravagant addition; but it is an ample addition to cover the small additional charge imposed on the home manufacturer.

MR. MAC IVER said, he was prepared at once to accept, in absolute indifference, and with entire good humour, the sneer of the right hon. Gentleman, and he did so for this reason—that he thought there was not a Gentleman on the other side of the House, or on any side of the House, who would not understand perfectly well that the object of the Amendment he had submitted was that the proposal of the Government to reduce the duty on foreign beer should not be allowed to take effect. If there was anything technically wrong in the form in which he had put the Amendment, he did not think it formed any ground why he should be laughed at, or spoken of with ridicule and scorn. He believed there were many people throughout the country who would be of opinion that, even if he were wrong technically, he was perfectly right in raising his voice in objection to the proposal of the Government to reduce the taxation upon foreign beer. He failed to see what advantage the British farmer was to obtain from the abolition of the Malt Tax. What the Prime Minister was asked for last year was the abolition of the Malt Tax, coupled with something else to safeguard the interests of the farmers; but what the right hon. Gentleman had given them was the abolition of the Malt Tax, coupled with increased foreign competition. There were many persons in the country who thought that in the change thus brought about the right hon. Gentleman had done an ill service to the agricultural interest of the country, and so far the views which they held had not been fairly represented. He believed that very few hon. Members even upon the other side of the House agreed with the right hon. Gentleman that it was just, right, or reasonable to cheapen the materials for the brewer. The Malt Tax enabled those only to brew who could afford to use good barley; but now any kind of inferior barley could be malted as well as rice and maize, and, in addition, beer might be made out of sugar and a variety of other things. All these changes would benefit the foreigner, and would prejudicially affect the interests of the British agriculturist. He could not believe that this state of things would be long permitted; and, if he was wrong in the technical form in which he had moved the Amendment, he asked permission to place it in a form that would be verbally accurate, and he did not think it would be wanting in support.

The CHAIRMAN: Does the hon. Member withdraw the Amendment?

MR. MAC IVER: No, Sir, I do not.

MR. WARTON complained that any alteration of the kind now proposed should be made at all. Whenever a change of the kind was proposed, the reason for it should be clearly stated. But, whether that were so or not, it did seem rather hard that when hon. Gentlemen brought Amendments forward they should be subjected to jeers and laughter, and told that there was some mystery about the matter which defied amendment. In the first place, directly the hon. Member for Birkenhead proposed one Amendment, he was told by the Chairman that he was too late, as the Committee had already got past the point where the Amendment came in; and when he submitted another he was told that it could not be accepted, because it was wrong in technical form. Personally, he believed there was part of this clause which even the Premier himself did not understand—namely, the meaning of the word "mum." They had already been told by the right hon. Gentleman that he did not understand what "mum" was; and why, therefore, should he have included it in the present Bill?

SIR STAFFORD NORTHCOTE: I am sorry that I was not here at the beginning of the discussion; but as far as I understand my hon. Friend the Member for Birkenhead is moving to omit the last words of the clause. My hon. Friend, at this moment, is endeavouring to make an Amendment to the clause, when, in point of fact, what he means to do is to vote against the clause as a whole. As I understand my hon. Friend he means to object to the alteration of the Customs' duty on beer. [MR. MAC IVER: On foreign beer.] On foreign beer; and, therefore, if my hon. Friend looks at it in that way he must see that what he must do, in order to give effect to his wish, is, by-and-bye, when the clause is put as a whole, to vote against it as a whole. If he resists it as a whole then the duties will be left as they are; and that is a more regular and intelligible course to take than to amend the clause by striking out these words, which would have the curious effect pointed out by the Prime Minister. It is perfectly consistent with the views expressed by my hon. Friend that he should object to the clause as a whole. I do not know whether I should be in Order in taking this opportunity of asking the Prime Minister if he will be kind enough to tell us what, according to the experience of the last few weeks, has been the progress of the Beer Duty? If I remember rightly, in the speech which he made, I think, upon this day seven weeks, I understood that his calculation upon the exchange of the Beer Duty for the Malt Tax had resulted, in the last financial year, in a disappointment of about £670,000. [Mr. GLADSTONE dissented.] Well, the Beer Duty, as I understood from the speech of my right hon. Friend, was estimated in the last year to yield £3,690,000. It actually yielded £3,485,000, showing a deficiency of £205,000; while, on the other hand, the malt drawback, estimated at £950,000, cost no less than £1,319,000. Therefore it has cost £674,000 more than was estimated last year. Of course, one cannot judge merely by the result of 10 months or so; and there are, no doubt, reasons which would account for the Beer Duty not bringing in as much as was expected from it. But I wish to ask whether, during the seven weeks since the statement was made, the progress of the Beer Duty has been such as to confirm the anticipations of the Prime Minister? Or, to put it otherwise, does the right hon. Gentleman adhere still, in its entirety, to the Estimate which he gave in the Budget speech, as to the probable progress of the duty? I am not putting the question captiously, but will be glad to be informed what has been the result for the period which has elapsed since the statement of the right hon. Gentleman was made. My hon. and learned Friend the Member for Bridport (Mr. Warton) seemed still to be troubled about the word "mum." But the word is very easily explained, and its particular application to the present state of things easily understood. A solution has been given to the House by a high authority which explains why the word is particularly applicable now, and why it has practically gone out of use for so many years. "Mum" was a kind of beer made without barley. It used to be made of wheat, ground beans, oatmeal, and a great many other things; and, as the English people were in the habit for many years of drinking beer made from malt and hops, the word has fallen into disuse. We have, however, changed all that, and now drink beer made from maize, rice, and oatmeal—or exactly the materials from which "mum" was made; and it is important that the word should again take its place in our tariff.

MR. GLADSTONE: Sir, I have listened with interest to the ingenious explanation which my right hon. Friend has given. It is perfectly true that people are at liberty to make beer of maize and rice; but we always call it "beer." The word "mum" is retained partly out of pious reverence for the wisdom of our ancestors, and partly for fear that if we omitted it some ingenious man should establish a demonstration against us which might result in a law suit. With regard to the state of the Beer Duties, when I demurred to the statement that our Estimates were disappointed to the extent of £670,000, or thereabouts, all I intended to convey was that it would lead to nothing but confusion to mix up two matters which have no connection with each other—namely, the excess in the drawback and the deficiency in the Beer Duty. The question that has been put with regard to the Beer Duty of the present year I can answer plainly, if not satisfactorily. We are in possession of the figures relating to the first month only of the present year, and, according to them, there has been a falling short of the Estimates to the extent of about 6 per cent. I have very great confidence in the opinions of persons more practically acquainted than myself with this subject, and I believe that they hesitate to form their judgment at present as to how far the deficiency in the Beer Duty for that month is ascribable to any special cause. Probably, before the close of the Session we shall be enabled to judge better; but there is not the least disposition at present to recede from the relative amount of the Estimate.

MR. MAC IVER said, if the terms of his Amendment were technically wrong he preferred to withdraw it.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 4 (Drawback on exportation of imported beer).

MR. STORER asked if the drawback referred to in this clause applied to stores shipped for the use of sailors on board ship?

MR. GLADSTONE: It is not connected with ship's stores; it is drawback on beer imported and then exported.

Mr. STORER said, if that was the case, it clearly applied to beer taken as ship's stores for the use of sailors; and, that being so, he trusted the right hon. Gentleman would not accuse him of desiring class legislation, when he came to ask for allowance for agricultural labourers.

Clause *agreed to.*

Clause 5 amended, and *agreed to.*

Clause 6 *agreed to.*

Clause 7 (Reduction of Customs duty on silver plate).

Motion made, and Question proposed, "That this Clause be omitted."—(*Mr. Gladstone.*)

Sir GEORGE CAMPBELL hoped the Chancellor of the Exchequer would explain the grounds upon which he moved the omission of this clause. The right hon. Gentleman, among other reasons given for putting the clause into the Bill, said that it would lead to a considerable importation of silver plate from abroad; and he especially alluded to the great talents which Her Majesty's subjects in India possessed for the manufacture of silver. He had, of course, been much interested in the statement of the right hon. Gentleman; and he could say from his own knowledge that these Indian workers in metals were both skilful and cheap in their work. Therefore, he had reason at the time to hope that the proposal of the right hon. Gentleman would lead to a very large increase in the trade of manufactured silver between India and this country. But, so far as he could now gather, a deputation from the trade in this country had waited upon the Chancellor of the Exchequer, and placed before him reasons which had induced him to omit this clause from the Bill. This omission, he confessed, he regarded with some jealousy, for, as the matter originally stood, he had looked forward with hope to some good resulting from the abolition of the duty on silver. He could perfectly well understand that those engaged in the trade in this country were anxious that the duty should be retained, because, as the law at present stood, they enjoyed a complete monopoly. At his request, the Secretary to the Treasury had stated to him the conditions upon which plate could be imported from abroad; and it seemed to him that the system in operation was absolutely prohibitory of the importation of foreign manufactured silver. It was true that silver articles manufactured in India could be imported on payment of the duty. But it was also true that the goods in question must be taken to the Tower to be stamped, and he was correct in saying that the system was entirely prohibitory. No doubt, a good many articles in silver entered the country from India that were not afterwards stamped; but he fancied the explanation of that fact was that the difficulties of the process were so great that the practice of getting the stamp was not resorted to; but these small pieces were smuggled. It appeared to him that the persons engaged in the trade who had approached the right hon. Gentleman were in the enjoyment of protection of the largest and strongest description; and, therefore, he trusted the right hon. Gentleman would state to the Committee, before they agreed to his Motion, the grounds upon which he moved the omission of the clause.

Mr. GLADSTONE said, this question, like all others relating to duty, was extremely difficult and complicated. But the difficulties attendant upon the drawback were far greater, relatively to the subject, than any he had been acquainted with, because it was expected that drawback should be paid on goods that had long passed out of the Government possession. He had entertained considerable doubts as to the validity of the claim for drawback, and especially for full drawback. The clause, however, did not provide for any drawback at all. The Government had only proposed to substitute a very gradual method of reduction of duty, and the representations which had induced him to think he should not persevere with the clause were not so much connected with the trade as with the interest of the workmen employed in it. There was a temporary diminution in the purchasing power of the people, which affected in a very considerable degree the production of plate; and he owned that he shrank from applying to that trade a measure which, for a series of five or six years, would have had a more or less paralyzing effect upon it. It had therefore been decided to allow the matter to stand over, feeling that he could not be responsible for the difficulty likely to be created by a peculiar proposal made at a peculiar time.

Mr. RITCHIE pointed out that if the proposed method of dealing with the duties on silver plate was not definitely abandoned the paralysis alluded to by the right hon. Gentleman was likely to afflict the silver trade at the approach of each Budget. The right hon. Gentleman, when he gave Notice that the clause would not be proceeded with, led the House to understand that he did not altogether give up the idea of dealing with silver plate in the manner at first proposed. The result of that communication was that this process of gradual extinction of the duty was held over all manufacturers of plate *in terrorem*, and that it was impossible for them to conduct their operations in the same way as they would do if they supposed that their trade would be dealt with in the same way as other trades under similar circumstances—that was to say, that the drawback would be allowed if the duty were taken off. On the approach of the Budget Statement all manufacture would probably cease, because those engaged in the trade would not care to go on with their manufacture under the anticipation that the process now postponed might be applied. Therefore, he hoped the Committee would be allowed to understand that the measure was not merely postponed but abandoned.

Mr. GLADSTONE said, it would be contrary to usage to give a pledge that under no circumstances would the question be re-opened.

Sir ANDREW LUSK regretted that the right hon. Gentleman could not speak positively with regard to the question of duty on plate, because it was a very serious matter for the constituency which he had the honour to represent, and which was very largely interested in the trade, that the proposal of the Chancellor of the Exchequer should be kept hanging over their heads. It would, he thought, be well if the right hon. Gentleman would consider the possibility of doing away with the duty once for all, for the matter was a very small one, and interfered much with the trade, which afforded occupation to a number of poor men. He had a strong sympathy with his constituents under these circumstances, for there was great competition in these days, and the trade of watch and clock making was leaving them altogether. Hon. Members should not treat this subject with levity. It was very easy to tell men to be contented, and buy in the cheapest market; but they answered—"We have nothing to buy with." It was a sad thing for those who were dependent upon the trade for their daily bread to be kept in suspense; and, for the reasons he had urged, he trusted the right hon. Gentleman, having once made the proposal, would carry it into effect by altogether abolishing the duty on silver plate.

Mr. ONSLOW wished to say a few words on this subject, because he had been a Member of the Committee which sat to consider the question of hall-marking. He believed he was the only one who had recorded his vote in favour of the retention of the duty, and he did so because all those who gave evidence before the Committee were of opinion that there was no necessity for its abolition. The hon. Member for Kirkcaldy (Sir George Campbell) had spoken of the great stimulus that the removal of the duty would give to the Indian trade in manufactured silver. If that result would follow, he should, for that reason alone, wish the duty to be abolished; but, having carefully gone into the facts, he was unable to see that the change would be attended with one iota of benefit to the Indian manufacturer. The hon. Member for Finsbury (Sir Andrew Lusk) had alluded to the falling off in the trade amongst his constituency; but he pointed out that that was due simply to American competition. American gilt and silver work came into this country free of duty, while there was evidence that our work was very heavily taxed on reaching America. He hoped the Chancellor of the Exchequer would not give way to this foolish idea of Free Trade, but retain the duty on silver plate, which was supported by everyone connected with the trade, and which he did not believe was in any way connected with the falling off of trade in this country.

Mr. MAC IVER said, the position was in no way mended by what the right hon. Gentleman had said. The trade was at present paralyzed by the want of knowledge as to what would be done in the future. As a final settlement of the question, he ventured to suggest that, in conformity with the principles of Free Trade, the duty on silver plate should be absolutely abolished, so far as concerned the production of this country and the Colonies; but that it should remain upon the silver plate of foreign countries, drawback being allowed on exportation. This arrangement was one which was, at any rate, not likely to be disturbed by hon. Members sitting on that side of the House. It was most desirable that the question should be finally settled, and he pressed that view of the case strongly upon the attention of the right hon. Gentleman.

Question put, and *agreed to.*

Clause *struck out* accordingly.

Clause 8 (Alteration of duties on spirits imported).

Mr. THORNHILL, in moving the Amendment of which he had given Notice, pointed out that the two chief commodities of trade in the West Indies were sugar and rum. As was well known, the West India trade had been already injured by the foreign sugar bounties; a fact which, he believed, the Prime Minister had admitted to the deputation which waited upon him recently in connection with that subject. He ventured to say that if the additional 2*d.* per gallon was to be charged upon rum the West India Colonies would be still further injured. It would do a very considerable amount of injury to the Jamaica planters. It was said that a countervailing duty could not be placed upon sugar, because it was contrary to the "Most Favoured Nation" Clause. That might be so; but he felt that, in the present case, if, as the arrangement with regard to Spirit Duties proposed, an extra 2*d.* per gallon were charged upon rum, while, at the same time, 1*d.* was taken off French brandy, the French nation would again be benefited, as it was in the case of the sugar bounties. One of the reasons for the proposal to increase the duty on rum was that it was regarded as a manufactured spirit; but he held that it was not so, in the sense in which the term was applied to gin. It was made entirely from molasses, and was coloured with its own natural spirit. Whisky now paid 10*s.* per gallon, and 2*d.* per gallon under the Excise regulations; gin, as a manufactured spirit, paid 10*s.* a gallon, and 4*d.* a gallon under the Excise regulations. But if the Bill became law, whisky and gin would remain under the duties respectively of 10*s.* 2*d.* and 10*s.* 4*d.*, while rum would be placed in the same position as gin, and pay a duty of 10*s.* 4*d.* per gallon, and the reduction of 1*d.* on brandy would make the duty on that spirit 10*s.* 4*d.* instead of 10*s.* 5*d.* per gallon. He contended that rum was not a manufactured spirit, and that it ought not to be placed in the same category as those which were. In conclusion, he urged the right hon. Gentleman to re-consider the question of increasing the duty on rum, with a view to helping the West India Colonies, which had suffered so much already from the system of foreign sugar bounties.

Amendment proposed, in page 4, after line 6, to insert "Rum of and from any British Possession . . 10*s.* 2*d.*"—(*Mr. Thornhill.*)

Mr. GLADSTONE: Sir, I am truly sorry I cannot accede to the proposal of the hon. Member who has just sat down; but the tariff which now exists does not draw any distinction, in point of duty, between the British Colonies and foreign countries producing rum. One and the same rate is charged—namely, 10*s.* 2*d.* if the rum comes from the country of its production; 10*s.* 5*d.* if it comes not from the country of its production. I cannot, therefore, be expected to agree to the setting up of any distinctive and differential duty on behalf of the Colonies. The hon. Member says that gin is a manufactured article and that rum is not. Now, it is quite true that gin, which is the great English spirit and that with which rum chiefly competes, goes through a double process—first, the process of distillation, secondly, a process of rectification. I may, however, compare rum, not only with gin, but with other spirits. Brandy, for instance, does not undergo the double process of distillation and rectification. It is a more valuable article than rum. But I will take another article imported into this country, which is not of the same value, but of much less value than rum—namely, the potato spirit which comes in from Germany. Rum is also a manufactured article. The truth is, I entirely sympathize with the producers of this article, in the Colonies especially, because they have enjoyed a factitious advantage. They are to be sympathized with, when that factitious advantage is withdrawn. This advantage has been enjoyed by the Colonies for some years past—since the distinction between British and foreign rum has been abolished—not on the ground that rum is entitled to a protection, but on the ground that Sykes's hydrometer, which was used by the Department, does not enable them to ascertain, precisely, the amount of alcohol in a gallon of rum. It is the new process—the process of distillation which is substituted for that of Sykes's hydrometer—which enables us to ascertain the exact amount of alcohol, which will leave us no ground for apology, in point of consistency, if we were to exclude this one special duty on rum coming from the British Colonies. I am, therefore, afraid I must adhere to the proposal as it stands.

Mr. O'SULLIVAN said, he did not rise for the purpose of supporting the Amendment, for he thought the proposal was a very fair and just one. He, however, wished to point out a great inconvenience suffered by the trade. Rums and brandies, and all these foreign spirits, might come in at a greater strength than they ought to come in at, and might pay a less duty than they ought to pay. But he desired to remind the right hon. Gentleman of a great inconvenience that traders were put to. At present it took them two or three days to get their goods out of the hands of the Government officials, and the result was that they experienced great difficulty in transacting their business. They ought to get the goods tested in a day at the most; and he would appeal to the right hon. Gentleman that greater facilities should be allowed to the trade in this matter than they at present enjoyed.

Sir JOHN LUBBOCK said, that, owing to the hum of conversation around him, he had not been able clearly to follow the observations of the hon. Member opposite; but he had understood the hon. Gentleman to say that he did not ask for a differential duty, but only complained of disadvantages which would be experienced under the Bill. Mr. Walpole, in 1878, had reported that, as compared with foreign spirits, the British distiller was at a disadvantage of $1\frac{3}{4}d.$ But the present Bill proposed to impose a difference of 4*d.*, more than half of which was, therefore, clearly a Protection duty. No doubt if they compared rum with rectified spirits that would disappear, because the rectification of spirits was equivalent to 2*d.*; but what the West Indian Colonies said was that the spirit they produced was a plain, and not a rectified spirit, and that by treating it as the Government proposed to treat it now they would be placing it at an unfair disadvantage. The question was one of great difficulty, no doubt, and he hoped the right hon. Gentleman would give it his most careful attention. He was quite sure, and he thought the West Indian Colonies could feel assured, that Her Majesty's Government would consider their representations most carefully, with every wish to do justice in this matter. Perhaps the hon. Member who had moved the Amendment would not think it necessary, under the circumstances, to divide the Committee, but would rest satisfied with the assurance that the Government would consider the matter, which was one of the greatest moment to the West Indian Colonies, which they all knew were suffering very severely, in other respects, at the present time.

Mr. RITCHIE would only say, in support of the appeal made by the hon. Baronet, that the right hon. Gentleman the Chancellor of the Exchequer had not said anything as to a comparison of the duty on rum and whisky. Rum was equally a plain spirit with whisky. Rum when it came in had to pay 10*s.* 4*d.*, whilst whisky had to pay 10*s.* 2*d.* The produce of our Colonies—rum, which was an important part of the produce of our Colonies—would be placed at a disadvantage, as compared with whisky, though not, perhaps, as compared with brandy.

Lord FREDERICK CAVENDISH said, that the hon. Member who had moved the Amendment had not explained why rum should pay a less duty than other spirits. They had heard a great deal lately about giving fair play to the home producer; but he thought the home producer would have fair ground of complaint if foreign spirits paid less duty than the articles of home manufacture. It would be impossible to place a distinctive duty on rectified and unrectified spirits, for if that were done the home producer would be placed at a great disadvantage. As to what had fallen from an hon. Member with regard to the inconvenience to the trade in testing spirits in the warehouse, that difficulty was being removed. In future all spirits would be tested at once, on importation. The amount of spirit would be at once found out, and no delay would occur.

Mr. RITCHIE hoped the observations of the noble Lord would not be allowed to pass without comment. Gin was the only spirit which was rectified and compounded. It had to be compounded to make it suitable to the English taste. It had been clearly pointed out, in the official Papers, that the cost of the excisable restriction amounted to 1¾*d.*, which, added to the 10*s.*, would make 10*s.* 1¾*d.*, or, say, 10*s.* 2*d.* But, beyond this, gin had to go through a process to make it suitable to the English palate; and that process, it had been computed, made another 2*d.* per gallon, which, altogether, made 10*s.* 4*d.* But there was no other spirit—neither whisky, rum, nor brandy —which had to be compounded. All those spirits went into consumption as they were imported. With regard to whisky, the restriction amounted to 2*d.*; therefore, in calculating the amount of duty on whisky it should be put down at 10*s.* 2*d.* The duty on rum was 10*s.* 4*d.*, whilst that on whisky was only 10*s.* 2*d.* Rum was a plain spirit as well as whisky, and brandy, also, for the matter of that —although he was more concerned about articles of British production — was placed at a great disadvantage.

Mr. GLADSTONE said, that brandy was no more a rectified spirit than rum. Gin was the chief competitor with rum, and gin was a rectified spirit. As to whisky, though it did not undergo such an expense in comparing it with rum, yet there was a considerable indirect expense. It was plain that if there was any force in the argument for reducing the duty on rum, it ought to be reduced on brandy and other spirits.

Sir JAMES M'GAREL-HOGG said, he knew many people who were very much interested in the West Indies. In Jamaica, a vast quantity of estates had been thrown out of cultivation lately; and as to Demerara, there were many merchants and traders there who were only just able to carry on business. They had been carrying on their business and cultivating their estates almost at a dead loss; and he felt convinced that if this Bill passed in its present form they would be rendered still more incompetent to compete with the foreigner. All he (Sir James M'Garel-Hogg) and his friends could do was to express their regret that the right hon. Gentleman could not help them in this matter.

Mr. THORNHILL said, that in the course of the debate he had heard the traders of the West Indies spoken of as foreigners. He did not consider them such, but looked on them as he looked upon all the Members of that House, as British subjects. It was very hard on these traders that they should be treated in the manner proposed by the Bill. The noble Lord (Lord Frederick Cavendish) seemed to have some strange antipathy to the West Indies, for he was always doing what he could to injure them. The noble Lord had gone out there some time ago, and, although he (Mr. Thornhill) could not say what happened there, since he had come back he had always done what he could to disparage and to hurt the place. If things went on as they were now for very long he was afraid that the West Indies would go to the wall altogether.

The CHAIRMAN: Does the hon. Member desire to withdraw the Amendment?

Mr. THORNHILL: Yes, Sir, I withdraw it.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 9 (Mode of testing in case of obscuration).

Captain AYLMER, in rising to move the omission of the words "or otherwise," said, the clause hung very much on the one they had just been discussing, the question arising as to the increase there would be on the Rum Duty owing to the new method of measuring the quantity of spirit. A very heavy sum was involved. The right hon. Gentleman (Mr. Gladstone) said £180,000 a-year; but he (Captain Aylmer) was inclined to think that the change would produce nearer £300,000 or £400,000. The difference between Sykes's hydrometer and measuring the spirit by distillation was certainly 1½ per cent, and that would raise the estimate by a very large sum. He honestly believed that the right hon. Gentleman, instead of getting £180,000, would secure £400,000. He did not grudge the Government this amount; but he found that there was very considerable dissatisfaction felt with the wording of the clause. Spirits used to be tested by Sykes's hydrometer. That method was to be replaced by distillation; but where that did not suit the officers of Customs, resort might be had to other means. He did not think that the trade of the country should be left to such an uncertain state of things. The method of testing should be either by Sykes's hydrometer or by distillation; but there should be no "or otherwise" in the clause, to leave it open to the discretion of the Customs officers to experimentalize if they felt inclined. The words "or otherwise" were extremely vague, and were very much objected to by importers of spirits into this country.

Mr. GLADSTONE said, that, so far as the meaning of the clause was concerned, the words in question were not of the slightest importance. He hoped the hon. and gallant Member would not press his Amendment, because the effect of it, if passed, would be that if any new and improved method of testing spirits were discovered they would be unable to avail themselves of it. The object in view was merely to make an accurate examination or test. As to the sanguine estimate of the hon. and gallant Member of the result of the new method of testing spirit, he must decline to accept it. He would point out to the hon. and gallant Member that when estimates came from private Members which turned out to be extravagant nothing more was heard of them; but such was not the case when a Chancellor of the Exchequer indulged in extravagant speculation. The spirit which would be affected by the new method of testing was brandy more than rum. There had been a great deal of concealed strength introduced in brandy owing to our defective method of testing, going as high as 13 and 14 per cent, instead of the modest 4 per cent allowed. Instead of this being, in the main, a tax upon Colonial produce, he believed it would be a tax upon the article brandy.

Mr. GORST did not think the objection of the hon. and gallant Member for Maidstone (Captain Aylmer) had been answered. His argument was that the importer should have the article he imported tested by law, and that it should not be left to the discretion of any official as to the kind of test which should be applied. The Government wished to substitute distillation for Sykes's hydrometer; but the clause would leave it open. No doubt, in most cases, officers of the Customs acted in a fair and honest manner; still, it would not be satisfactory to importers to be left in the hands of these officers, knowing that at any moment a new kind of test might be tried.

Mr. O'SULLIVAN said, he did not understand the reason advanced for the Amendment. The clause gave the Government officials every power to ascertain the amount of spirit to be taxed, and, surely, nothing should be done to weaken that power.

Captain AYLMER said, the right hon. Gentleman estimated the gain to the Revenue at much less than he did; still he believed that the figure he had quoted would turn out to be right. Great annoyance had been occasioned in several quarters in this matter. Last week there were two or three questions put as to the measurement of malt, and it was said that the Customs measurement had been exceeded by 10 per cent by the railway carriers, and then that the brewers, who had bought it, had exceeded the railway carriers' measurement. All these different measurements must be a source of great trouble to those who had to trade in these articles. Let there be one law. If the Government, at some future time, discovered a better means of measurement, let them then suggest it—let them wait, if necessary, until next year. To show how inconvenient the proposed scheme might be, he would point out that one Excise officer might say—"I prefer to try my own experiment," and another, even in the same place, might say—"I do not believe in your experiment; I will try my own." Many people, from different parts of the country, had complained that the Bill, as it stood, might bring them to loggerheads with the Government officials.

Sir ANDREW LUSK said, he had been long connected with the trade and commerce of this country, therefore he thought he had a right to speak on such a question as this. He considered it was the duty of the Government, in regard to the Customs, to lay down a plain law to guide merchants; and, therefore, he thought that "or otherwise" ought to be expunged from the clause. If those words were retained they would not know where they were. The matter was really worth attention, and, in considering it, they must not altogether lose sight of the position of the Customs officials, who were the moving springs. He did not find fault with any plain rule laid down; but he certainly would not care about leaving the decision of his business affairs to the discretion of Government officials. He did not object to Sykes's hydrometer, which was a good old fixed rule, and he did not object to the test by distillation; but do not let them have these words "or otherwise" retained. The striking out of these words would not do the Chancellor of the Exchequer any harm, whilst it would please many hon. Members very much.

MR. GLADSTONE pointed out that although, in the testing of spirits, distillation was of great value, it was supported by other methods. Weighing was one; but there were also other methods which would render it very inconvenient to omit the words. The hon. Member behind him (Sir Andrew Lusk) did not seem to understand the position of affairs. This test was not intended to be a guide to merchants at all, but to the Revenue Department. However, to satisfy hon. Members, he would consent to the modification of the clause by the insertion of words to the effect that the Customs officers might use "other methods which were approved of by the Treasury." That would give Parliament a responsible authority, to whom it could look in case of supposed improper proceeding.

CAPTAIN AYLMER: On that understanding I will withdraw my Amendment.

Amendment, by leave, *withdrawn.*

MR. WARTON thought that the importers of spirits would suffer great injustice and inconvenience by the abolition of the long-established method of testing spirits. The importers were used to the hydrometer, and could employ it in testing spirits themselves; therefore he thought it should be retained in use. There had been some startling revelations with regard to malt lately; and it had been shown that the officers of the Excise, in the zealous discharge of their duty, and, perhaps, with the desire to get into favour in high places, had overcharged wherever they could. There would be no check against overcharge if the clause remained as it was, because the importer of spirits would have the means in his hands to do it. The importer could not take samples and chemically distil them, as the Government official could. The importer could use the old-fashioned hydrometer, but not the new method of testing; therefore he charged the right hon. Gentleman with attempting the "obscuration" of the matter, according to the marginal note to the clause. He was obliged to the right hon. Gentleman the Premier for, in speaking on Sections 8 and 9, using the words "substitution of distillation in place of the hydrometer." This was honest language; but it was not the language of the clause, which was—

> "In any case where, by reason of the presence of colouring, sweetening, or other matter, the accurate strength of any spirit cannot be immediately ascertained by Sykes's hydrometer, or in any case where an officer of the Customs may deem it necessary, a sample of spirit may, under the direction of the Commissioners of Customs, be examined by distillation or otherwise, and the strength so ascertained shall be deemed to be the true hydrometic strength of the spirit."

That seemed to imply that distillation would only be used in some cases—where it was necessary. He was obliged to the right hon. Gentleman for his frank employment of the word "substitution," which showed what his real intention was. It was this—to give the officer power to take away the use of the only means the importer had of checking the accuracy of the official test.

Clause *agreed to.*

Clause 10 (Time and place of landing goods inwards).

MR. WIGGIN said, he was informed by persons connected with shipping that the Custom House officers left duty on the wharves at 4 o'clock in the afternoon. This resulted in a considerable loss, and shippers complained that 4 o'clock in the afternoon, especially in the summer months, was much too early to cease work. He did not know whether the right hon. Gentleman would consider it possible to extend the hours of attendance of Customs officers.

Mr. GLADSTONE said, he would make the subject one for inquiry.

Clause *agreed to.*

Clauses 11 and 12 *agreed to.*

Clause 13 (Persons may be searched if officers have reason to suspect smuggled goods are concealed upon them. Rescuing goods. Rescuing persons. Assaulting or obstructing officers. Attempting the foregoing offences. Penalty).

Mr. ANDERSON found there was no such clausé in last year's Bill, and he wished to know whether it was proposed to extend the powers of Customs officers to search people when they came ashore from vessels? He had supposed they possessed the power of search already, and if so this clause was quite unnecessary. If not, they were to be given fresh power, and he confessed he had some suspicion about it. At any rate, the matter required to be guarded in case the suspected person happened to be a female. It would be rather awkward to give complete power of personal search in case of a female.

Lord FREDERICK CAVENDISH said, this clause was inserted to make the law perfectly clear.

Mr. ANDERSON said, there ought to be some guarding clause in case of females. [*A laugh.*] Hon. Members might laugh; but it might be a serious thing for some of themselves some day, when they might happen to be travelling with lady friends. It was a well understood thing in old days that ladies were the greatest smugglers; laces and such things to them were quite irresistible in the way of smuggling. He did not suppose they would be much tempted by cigars and ardent spirits; but it was known that females who did smuggle had, for the purpose, represented themselves to be in an interesting condition. He did not suppose the Committee would have any sympathy with a female who did that, or was caught in the act; but it might happen that ladies who really were in an interesting condition might, on an erroneous supposition, be subjected to the very grossest insult. He would, therefore, suggest that a few words be added to the clause to make that impossible—for instance, such words as—" But if the suspected person is a female, such search shall be in private and by a female searcher."

Mr. GLADSTONE said, he did not think his hon. Friend had examined into the matter. If he would turn to the Consolidation Acts he would find full provisions for the prevention of abuse.

Mr. WIGGIN noticed that the penalty to be inflicted was not to exceed £100. Would a person bringing over a few cigars be liable to such a penalty?

Mr. R. H. PAGET said, as the clause was drawn it seemed obligatory to impose in each case a penalty of £100. Might he ask whether the clause had been drawn with any regard to the Summary Jurisdiction Act? He hoped that Act, which dealt with all the questions of penalties, had been taken into account.

Sir ANDREW LUSK thought the clause might be allowed to pass unaltered. He did not expect the powers of search given to Customs officers would be abused; and he was informed by those who knew something of the attempts at fraud that the clause would meet all the difficulties of the case.

Mr. GLADSTONE said, the penalty was the same as that in the present Customs Act. The penalty was fixed at one amount; but there were general provisions for its reduction.

Mr. WARTON observed, that the rule for reduction was that in no case should it be more than one-fourth.

Mr. R. H. PAGET said, that, having served on the Committee on the Summary Jurisdiction Bill, he knew that that was a point raised and much discussed. What he wanted to know was whether the penalty of £100 would be subject to the same powers of reduction as the penalties inflicted under other Customs and Inland Revenue Acts?

Mr. HENEAGE said, everyone who had had any dealings with the Revenue officers knew they were most domineering in their actions. They were always inclined to say, if the magistrate would not grant the penalty they asked—" Then we will ask for a case; we have our authority from Somerset House."

An hon. Member said, if his recollection served him aright, there was a great difference of opinion in the Committee on the Summary Jurisdiction Bill. The Customs authorities contended that where the statute said the penalty should be £100 or £200 the magistrates should not have the power of lessening it. There was a great fight, and the Committee agreed unanimously against the Customs. When they came down to the House of Commons the Government was in a rather awkward position; but the result was that the Customs eventually gave way. The magistrates, therefore, were to have the power in all cases under the old Customs Acts not to impose the full penalty; they might impose a less penalty than £100 if they wished. It was the deliberate decision of the House of Commons; and, that being so, it was only right it should be maintained in an Act passed immediately afterwards. If there was any new departure upon the point, the right hon. Gentleman would, no doubt, explain it.

Mr. GLADSTONE thought it would be improper to establish a new rule.

Mr. WARTON asked if the Attorney General would say whether the old rule relating to reductions was still in force —namely, that there should be no reduction below one-fourth.

Sir R. ASSHETON CROSS said, if they passed the clause as it now stood, it would override the Summary Jurisdiction Act. If the question could be considered on Report, the present difficulty would be removed.

The SOLICITOR GENERAL (Sir Farrer Herschell) promised to look into the matter and see how it stood.

Clause *agreed to.*

Clause 14 (Certain sections of this Act incorporated in 39 & 40 Vic., c. 36).

Mr. GLADSTONE moved to add at end of page 7, line 2—

> "And section nine of this Act shall apply to the Isle of Man, so far as relates to all spirits charged with duty by reference to hydrometer strength."

Sir R. ASSHETON CROSS observed, that the Isle of Man was mentioned in the earlier clauses of the Bill; and, no doubt, the consent of the authorities of the Island had been obtained. But the jurisdiction of the Isle of Man was so peculiar that the Committee ought to have some assurance that the authorities there had consented to the insertion of these words.

Lord FREDERICK CAVENDISH said, the Isle of Man had consented to the insertion of the proposed words.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

### *As to Excise.*

Clause 15 (Brewer's licence. Annual value of house exceeding ten pounds and not exceeding fifteen pounds).

Mr. HICKS proposed, in page 7, line 8, to leave out the words "exceeding fifteen pounds," and insert the words "occupying a house charged to the inhabited house duty." His Amendment was almost identical with that on the Paper in the name of the hon. Member for South Nottinghamshire (Mr. Storer), and he would not have ventured to stand before him if he had not had the hon. Member's consent to do so. It would be in the recollection of the Committee that when the Chancellor of the Exchequer introduced the second Budget last year he made use of these words—"If the person who takes out a licence resides in a house under £20, he shall hear no more of the Malt or Beer Tax." But when the Bill came before the House, instead of the word "house" they found the words "house, premises, and land." The effect of that alteration or difference between the statement of the Chancellor of the Exchequer and the Bill was that a man who lived in a £19 house escaped, while a man in the country who occupied 10 or 12 acres of land had to pay the duty. That was so manifestly unjust that the right hon. Gentleman altered the clause, reducing the amount from the original promise of £20 to the lower figure of £10. He now proposed, however, seeing the injustice he then committed, to alter the figure to £15. Now, he (Mr. Hicks) submitted to the Committee that there were only two fixed sums at which houses were known in this country. There was the £6 house, the occupier of which was relieved from the payment of rates himself, but who paid them through the owner; and from that till they got to the £20 house, which was assessed to the Inhabited House Duty, they knew no difference in the value of houses. In his opinion, it was very much better they should continue the figure which was understood and known rather than take a figure—£15 or any other figure—which would have to be inquired into in every case. The difference between £15 and £20, in most country parishes, would affect a very small number of houses; but the one case was thoroughly well known, and the other was not. He begged to move his Amendment.

Amendment proposed,

In page 7, line 8, to leave out the words "exceeding fifteen pounds," and insert the words "occupying a house charged to the inhabited house duty."—(*Mr. Hicks.*)

Question proposed, "That the word 'exceeding' stand part of the Clause."

Mr. STORER had to support the Amendment of his hon. Friend. It was identical with his own, and also with that of the hon. Member for South Shropshire (Sir Baldwyn Leighton). He need not urge any considerations in support of the Amendment. The Chancellor of the Exchequer's words in introducing his Budget last year were so much to the point, and were so well supported, that he would see the justice of conceding the point. The extension which the right hon. Gentleman proposed from £10 to £15 did not remove the burden from a great number of the large farmers. These men were entitled to consideration, and the proposal of the Chancellor of the Exchequer had created great dissatisfaction, especially in those parts of the country where it was considered no distinction should be made between men following the same occupation. There was no class legislation in England; and no men, besides farmers, occupying houses far removed from public-houses, would avail themselves of the privilege suggested. He hoped the right hon. Gentleman would make the remission proposed, for he must know that the position of the farmer, in respect to the public brewer, was certainly not at all to the advantage of the farmer. It was only a small boon they asked; but it was one which would give great satisfaction, and one which could be given without any great injury to the Revenue. The right hon. Gentleman had explained that the private brewing of the country only amounted to 1 per cent of the whole; and he (Mr. Storer) hoped their friends, the brewers, would not object to the Amendment. It would not injure them, but it would do away with a great feeling of annoyance, because it would prevent the necessity of any valuation at all. There would be the House Duty at once, and no one who paid it would be subject to the tax. The proposal now made would include every farmer; it would give general satisfaction, and, therefore, he hoped the Chancellor of the Exchequer would take it into his serious consideration.

Mr. DUCKHAM thought it would be far better to have a graduated scale of licences to the farmers of the country, according to their rental, say a 6*s.* licence when the rent did not exceed £50 per annum, and a further 6*s.* for every additional £50.

Colonel RUGGLES-BRISE hoped the right hon. Gentleman would be able to accept the Amendment. He had very little to add to what had been said; but, as it was the right hon. Gentleman who last year had proposed to exempt houses under 10 years, he was a little surprised at the proposed limitation. The working of the Act would be such that it would apply principally to farm-houses; and very few tradesmen, wheelwrights, blacksmiths, and small householders would take advantage of the exemption. So far as his experience went, the Act would be confined almost entirely to the occupiers of land and to people in the rural districts. He wished to know how the annual value of £15 was to be arrived at. The right hon. Gentleman said it was to be ascertained by such means as the Commissioners of Inland Revenue thought fit. A case had arisen in Shropshire the other day in which a farmer, who had neglected to fill up his paper, was summoned before the magistrates in reference to an annual value of £10. Three Excisemen were called as witnesses for the Inland Revenue, and their evidence was accepted as to the value of the house, instead of the evidence of some practical land-valuer or auctioneer in the neighbourhood being taken. The House knew what the £6 house was, and what the Inhabited House Duty was; but they did not know what the £10 or £15 house was; and he urged the right hon. Gentleman to accede to this Amendment, or to lay down a little more clearly than he had done in the Bill the means by which this £15 value was to be ascertained, instead of leaving it to the Excise officers to assess the value of houses in a country of which they had not the slightest knowledge in the most arbitrary manner, and without reference to the Commissioners, and in opposition to the evidence of land agents. Unless the annual value was more clearly defined he believed the Bill would do great injustice.

Mr. HENEAGE pointed out that now the offices and gardens and courts were added to the house, so that while, practically, the tax was raised from 6*s.* to 9*s.*, the value of the house was raised, and what was a £10 house last year would be a £12 house in the current year. He could not help thinking that, if there was to be a change, it should be that of a £20 house. Everybody knew what a £20 house was, and he thought that such a change would greatly facilitate the collection of taxes and save expense. He strongly supported the Amendment.

Sir BALDWYN LEIGHTON said, that, speaking with some knowledge of the assessment machinery in rural places, there was no mode of estimating a house value between £6, the Small Tenements Act limit, and £20, the House Duty, because the land was always valued with the house; and he therefore appealed to the right hon. Gentleman to take the £20 limit. Of course, the right hon. Gentleman might say he must look to the loss to the Revenue. He did not think there need be any perceptible loss to the Revenue, and he would be willing to see a higher Licence Duty. He quite acknowledged the concession the right hon. Gentleman had made of the £15 house; but he thought that would give a great deal of trouble to the Excise officers in getting at the value, and cause considerable friction and inconvenience.

Mr. WATNEY said, he regarded this as only a question of the amount to be obtained from the private brewers, and he thought it should properly arise on sub-section 2 when they came to the word "exemption." He would suggest that the Government should leave out of the clause the words, "Not exceeding £20." He supposed that the hon. Gentleman who had just spoken did not propose to increase the duty on private brewers from 9*s.* to 12*s.*; but, if they did, he could quite understand their objecting to what he was proposing. If they did not, then he thought it would simplify matters if they rated all occupiers of houses above £10 at 9*s.*, and then they could take the question of exemptions afterwards on sub-section 2 of Clause 16.

Mr. D. DAVIES said, he would remind the Committee that this clause worked unsatisfactorily last year. The argument was that the house must be valued without the farm, and then it would not be worth above £10; but he knew of a case in which a house had cost over £1,000 to build, which was let at a few hundreds, and which the tenant wished him to say was not above £10 annual value. He had, however, pointed out that the house could not be taken in that way, but must be treated as a dock would be treated, which would be of little value without a ship in it. There were some tenant farmers paying £400 rent in Montgomeryshire who escaped the tax by putting their houses under £10. That was very unfair, and he should like to see fair play, so that if one escaped another should escape — some sliding scale under which everyone would pay in proportion to rent. It seemed to him that the man who could stretch his conscience most got off best.

Mr. R. H. PAGET thought that the proposal was worthy of attention, but that it hardly came under this clause. It should come under Clause 16, by which annual value and the way in which it was arrived at was dealt with. But, with regard to this clause, he desired to point out the disadvantages which would be involved by this Amendment. There had, no doubt, been difficulties in ascertaining the value of houses; but this proposal would increase the difficulties, and if the houses of £10 and £15 were singled out, that would place the Excise officers in a position of practical antagonism towards the people. The £20 house was known, and did not require any valuation. As the law stood, a house of £10, apart from offices, yards, or gardens, was subject to valuation from £10 or £15; but this clause proposed to make a change, by which there would be a valuation for these appurtenances; and so a house hitherto valued at £10, and liable to 6*s.* duty, would be liable to an increased duty of 3*s.* with the yards and gardens belonging to it. The result would be to increase taxation on that particular class of house, and because yards and gardens were introduced now for the first time, the £10 house of last year would be a £11 house, and, instead of paying 6*s.*, would pay an additional 3*s.* There might be such an intention, but he did not know that it was generally understood that that would be the operation of the Bill; but that would be its effect. He admitted that the limit of

£15 was a concession in the other direction; but he wished the Government to consent to go a little further. The right hon. Gentleman had made one step in advance; but he wished him to go from £15 to £20. In that way great difficulty and trouble would be got rid of, and he did not think the loss to the Revenue would be serious. He did not know that there was any intention to increase the Revenue by inflicting charges on private brewers; but the words "value of the house" would have that effect in many cases. He thought the right hon. Gentleman might rightly be asked to consent to the Amendment.

Mr. GLADSTONE: I regret that I cannot consent to the terms of the Amendment. What is it that is asked? It is well known that the number of farm-houses which are charged with the House Tax is very insignificant; and it is asked that while all the rest of the community shall be taxed, all farmers, except those who are charged with the Inhabited House Duty, shall be free from any duty at all. I really must say that that is a demand which I think is unjust in itself, and most grossly unjust to all brewers engaged in trade, and paying duty for every gallon of beer they produce. What we have done is this—the purpose in view was to effect a great leap of relief for the agriculturists in the country. ["No, no!"] If it was not so, all the Representatives of farmers for the last two generations have been engaged in assuring us that it was. The purpose in view was to effect a great act of liberation, as has always been held by the Gentlemen who represent the agricultural interest; and, secondly, to set free a great trade. But we had to deal with this great difficulty about private brewers, and it was only the fact of private brewers being reduced to narrow limits that enabled us to cope with that difficulty. So we arranged that at a very low rate of Licence Duty persons inhabiting small houses, whether farmers or not, should be allowed to brew without being called to account for their materials; the certainty being that those persons would make use of but simple materials, so that neither the loss to the Revenue, nor the interference with the general trade would be serious. But it became necessary to re-consider the definition of farm-houses, because they could not be got at unless we included with them the appendages described as offices, courts, and yards. That would have been a restriction of the liberty and privilege given by the Act of last year; but we have prevented that. We have done more than prevent it. We have made an extension, because the raising of the rent from £10 to £15 is a greater relief to the farming householder than is any disadvantage he may sustain by reckoning offices and courts into the valuation of the house. But a still stronger reason was the state of arrangements in some towns where there are a large number of artizans in certain places, who are engaged in private brewing; and to meet their views and to somewhat improve the position of the farmer we introduced this change, and raised the amount from £10 to £15, with a slight alteration in the amount of the Licence Duty. Whether these changes will be good, or whether I may be obliged to abandon them, I cannot say; but I think they are good changes. I am not speaking of the mode of ascertaining the annual value—upon that I shall be prepared to make a concession. I am speaking now simply of the change to £15, which is an extension of the privilege given to the private brewer; but really to ask us to go to £20, and limit that to the Inhabited House Duty, especially when it is accompanied by a demand on behalf of the labourers, is to establish an exemption which is the most unjustifiable in its extent and character that I have ever known to be suggested. Pray recollect that this duty is levied on what may be called a necessary of life. It is levied on the whole community; and to ask that one great class, who, I think, will enjoy great benefit from the alteration of the Malt Tax to a Beer Duty, shall have a legislative title to manufacture and consume beer for themselves, their families, and their workpeople, without paying any tax, is a proposal to which I am bound to say we cannot, under any circumstances, accede.

Mr. STORER regretted that the right hon. Gentleman did not see his way to giving what was asked. The right hon. Gentleman seemed to have forgotten that he proposed this last year; and what was now asked was nothing more than what he originally proposed. He could not help thinking that the right hon. Gentleman had been got at by the Excise officers.

Mr. GLADSTONE: That was for house and land.

Mr. STORER: The words were—

> "With the taking out of the licence we propose that if a person resides in a house under £20"——

Mr. GLADSTONE: That was in the Bill.

Mr. STORER, continuing, said, if things continued in their present state the Revenue would derive very little advantage, because there would be no farmers and no arable land, and no beer would be required. Year after year the land was going into grass, and beer was not required. Another consideration he would urge was, that the right hon. Gentleman spoke as if it was a very horrible thing that other people should have to pay for a Beer Licence at public-houses, while the farmer should be exempted. In no other country in the world was the farmer taxed for what he brewed. In Germany and in America the beer was not taxed until it came to sale; the private brewers were perfectly free; and in strict justice they ought not to be taxed here. It was no wonder that the land was given up, and such reports as now came from every county in England had never been heard before. The land was going absolutely out of cultivation, and could not be let at any price; and, under all the circumstances, he thought the farmers were entitled to more consideration from the right hon. Gentleman.

Mr. MAC IVER begged to move that the Chairman report Progress, and ask leave to sit again. He did so for this reason—the Prime Minister, a short time ago, made some charges in regard to the Representatives of the agricultural districts, which had no foundation whatever, and at that hour of the morning—1 o'clock—it was impossible to discuss such charges in the manner in which they deserved. The charge he referred to was that hon. Members on that side of the House had not been sincere in advocating the repeal of the Malt Tax. He wished to ask the right hon. Gentleman which of the Representatives of the agricultural districts, who sat on that side of the House, had asked Her Majesty's Government to introduce into this country foreign brewing materials free of duty? It could only bring new competition to bear upon the farmers, and for a very long period they had been weighted quite heavily enough. He must say that from the first day on which the right hon. Gentleman introduced his Budget, there was a circumstance which had struck him as very suspicious, and it was the extremely good terms upon which the right hon. Gentleman seemed to be with the Representatives of the brewing interest in all parts of the House. He (Mr. Mac Iver) was of opinion that the great brewers were the only persons whose interests had been seriously considered in the Government proposals, and, no doubt, they were ready and willing enough to agree to them. They were ready enough to support any form of taxation which might suit Her Majesty's Government, if Her Majesty's Government in return would allow them to continue to make even larger gains than they had hitherto been in the habit of realizing. It was absurd to say that the agricultural interest had been studied at all. On the contrary, it had suffered materially from the way in which the Government had dealt with the question. He begged to move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Mac Iver.*)

Mr. GLADSTONE: The hon. Gentleman has not a shadow of foundation for what he has said in regard to my having made charges against the Representatives of the agricultural interest in this House. I made no charge whatever against the agricultural interest; but what I said was that hon. Members who represent it in this House always expressed a desire to get rid of the Malt Tax. Notwithstanding the lateness of the hour, I hope that hon. Members will kindly agree to go on with the Bill. It is of very great importance that we should make some progress with it.

Sir BALDWYN LEIGHTON would appeal to the hon. Member for Birkenhead not to persist in his Motion for reporting Progress.

Mr. HENEAGE also expressed a hope that the hon. Member for Birkenhead would withdraw the Motion. He was satisfied that what the hon. Member was doing now was not for the advantage of the British agriculturists.

Question put, and *negatived.*

Original Question put.

The Committee *divided:*—Ayes 143; Noes 34: Majority 109.—(Div. List, No. 208.)

MR. STORER moved, in page 7, after line 9, to insert—

"Or by a brewer who shall be the occupier of a house of an annual value not exceeding four pounds, the duty of . . . 1*s.* 0*d.*"

The object of the Amendment was to endeavour to obtain from the right hon. Gentleman the Prime Minister some compensation upon the brewing of small quantities. Under the present arrangements, the brewers of small quantities got no benefit whatever. It was the practice on many farms to allow many of the labourers small quantities of malt during harvest time—perhaps a couple of bushels—which they converted into beer. The right hon. Gentleman proposed, however, to charge these small brewers 1½*d.* a-gallon more than the regular brewers would pay. It was most unfair that the man who only brewed a very small quantity should be placed in that position, even if he brewed four or five bushels. That was not an uncommon quantity in this country; but, nevertheless, it was proposed that he should pay just as much as a Duke or a Marquess who undertook private brewing. In reality, it was a tax upon the farmer himself, who, in most cases, would have to pay it himself, in which case it would amount to a heavy burden upon him. He believed that the labourers had quite as much feeling upon these subjects as other people, and the point which concerned them most was that this could only be regarded as an additional duty upon a necessary of life. At harvest time they expected to get a little more beer. He was free to confess that they frequently consumed a great deal too much; but he saw no reason why they should be placed in an exceptional position, and he hoped the Chancellor of the Exchequer would consent to do something in their behalf. His proposal was to reduce the duty upon small houses, principally inhabited by the labourer, to 1*s.* Perhaps the right hon. Gentleman would prefer to make the concession in another way, by imposing the duty on brewers of small quantities—say, up to four bushels.

Amendment proposed,

In page 7, after line 9, insert "or by a brewer who shall be the occupier of a house of an annual value not exceeding four pounds, the duty of . . . 1*s.* 0*d.*"—(*Mr. Storer.*)

Question proposed, "That those words be there inserted."

MR. GLADSTONE: An alteration of this kind is an alteration which I could not undertake to accept, and I am, therefore, bound to say that I cannot agree to the Amendment proposed by the hon. Member. No doubt, the brewing affected would be confined to very limited quantities; but I do not think we should undertake to keep alive any practice of the kind on so small a scale. If, as the hon. Gentleman states, it is only a question of brewing a few gallons of beer for the labourers during harvest time, there can really be very little hardship in the proposal contained in the clause, and in requiring such small occupiers to go to the brewer for the few gallons of beer they may happen to want. The merely occasional act of brewing a few gallons of beer we cannot take into account by establishing a different system of licence for such cases.

MR. H. DAVEY was sorry that the right hon. Gentleman could not see his way to making a concession in the direction of the Amendment. The receipts from licences issued to cottage labourers must be exceedingly small; and if cottages under £5 in annual value were relieved from payment of duty altogether, he did not think there would be much loss to the Revenue. The way in which the imposition of the duty would operate was this. There were a number of farmers who gave their labourers malt at certain seasons of the year, which the cottagers brewed in their own cottages. It was not worth their while to pay 6*s.* a-year to brew this small quantity of beer, and the consequence was that they would have to refuse the malt the farmers were willing to give them. The malt now given was regarded by the labourer as an addition to his perquisites; but if he had to pay the licence for brewing, it would not be worth his while to brew, and the result would be that he would lose the malt and get nothing in exchange.

MR. HICKS remarked, that, if he understood the Chancellor of the Exchequer correctly, the right hon. Gentleman said that if the persons in whose behalf the Amendment was proposed only brewed a small quantity of beer, it would be no grievance to them to say that they should not continue to brew their own beer, but that they must go to the brewer for the few gallons they wanted. Now, he (Mr. Hicks) would suggest that it would be a very great grievance to deprive the labourers of the privilege of brewing their own beer, and compel them to go to the brewer. He understood that the Bill of last year was to benefit the agricultural interests by allowing the mixing of other materials with barley in the manufacture of beer. But the labourers, who had been used to good beer, would not regard such compounds as beer at all, and would regard it as a great grievance if they were compelled to have recourse to beer brewed in that way. He hoped the Committee would support the Amendment moved by the hon. Member for South Nottinghamshire (Mr. Storer).

Mr. GLADSTONE: I cannot believe that the case which has been so benevolently represented to me by my hon. Friend behind (Mr. Davey) is really likely to occur, and that the farmer who proposes to give in kind a certain boon to his labourers will, because the law interferes with the application of the boon, not only withdraw the boon, but provide no substitute for it. I must say that the Amendment really favours the truck system, and that it is far better the labourer should be paid in money. I certainly cannot see that it would be right to say that the Legislature ought to go out of its way in raising the taxes of the country to make arrangements to encourage the farmers in paying their labourers by the truck system.

Sir BALDWYN LEIGHTON hoped that his hon. Friend the Member for South Nottinghamshire (Mr. Storer) would not press the Amendment. Probably, in the course of a short time, the whole question of the re-adjustment of these duties would, as a matter of convenience, have to be considered. If he was in Order, he would venture to ask the right hon. Gentleman to take an early opportunity of explaining what were the intentions of the Government with regard to the concessions he alluded to.

Mr. STORER said, the arrangement between the farmer and the labourer for having beer was entirely different in its character to the truck system referred to by the Chancellor of the Exchequer. There was a time when all the labourers in the country lodged in the farm-houses, and received then not only their drink but their meat, and the term "truck" had never been applied to that practice. Notwithstanding all that had been said of relieving the farming interest in the present state of depression, the farmer's interest had been injured in every way. His labour bill had been doubled by the operation of the Education Act; and at that moment there were men on the farms doing the work that used to be done by boys. Such matters might appear very trifling to hon. Members opposite; but they were such as aggravated the depression which existed in the agricultural interest, and made it impossible for farmers to work their farms at a profit. The question raised by the Amendment which he should press was one of more importance than the right hon. Gentleman was aware of; and unless he was inclined to meet the case in some way, it would not be advisable for him to extend the county franchise.

Mr. BIDDELL thought that cottage brewing would be admitted by everyone who looked into the matter carefully to be a great help to temperance. He therefore suggested that the Chancellor of the Exchequer should consider the propriety of reducing the licence in the case of houses which came under the Small Tenements Rating Act from 6*s.* to 3*s.*, and from this change he believed there would result no loss of Revenue.

Amendment *negatived.*

Clause *agreed to.*

Clause 16 (Provisions with regard to brewers other than brewers for sale).

Mr. GLADSTONE: I think we need not ask for so rigid a rule as is laid down here, with regard to fixing the annual value of houses. I am content to take it that the arrangement shall be as proposed by the hon. Member for South Nottinghamshire (Mr. Storer)—namely, that there shall be an appeal to Quarter Sessions, whose decision shall be final.

Mr. WATNEY said, before that point was reached he begged to call the attention of the Chancellor of the Exchequer to the exemption in sub-section 2. The discussion had been of a rather irregular kind. He pressed upon the right hon.

Gentleman the unfairness of the exemption proposed in the case of private brewing. It had been stated that the brewers were benefited by the substitution of the Beer Duty for the Malt Duty; but he need only say upon that point, that under the new arrangement the brewers were paying 3*s.* per quarter more than they did formerly. For his own part, he should be very glad to go back to the old state of things, and he was quite unable to see how his agricultural friends could say that the brewers had been benefited. With regard to the exemptions, the Chancellor of the Exchequer had said last year that it was necessary to exempt certain classes, and he then fixed the limit at £10 rental. But by the clause as it stood it was now proposed that everyone who lived in a house of £15, or, in other words, paid 5*s.* 9*d.* a-week rent, should not be called upon to pay Beer Duty. That, he thought, was a very bad rule for the Committee to lay down. He was aware that great pressure would be put upon the Government to extend the exemption as originally fixed; but this, he contended, was owing to the fact that the Government were wrong at the beginning in laying down any exemption at all. There was no fairness in the proposal which allowed an artizan paying 5*s.* 9*d.* a-week rent to brew beer without paying duty; and it moreover raised a very dangerous precedent which was not to be found in connection with any other kind of taxation. He had never heard the Chanceller of the Duchy of Lancaster, who was in favour of the reduction of the Tea Duty, contend that persons living in houses under £10 should be exempt. Who were the largest consumers of beer in this country? They were not gentlemen, but mechanics and others, who paid 4*s.* or 5*s.* a-week rent; and the position taken up by the Government was that they were to pay no duty on the beer they drank. Therefore, although the proposal had gone so far, he trusted the Chancellor of the Exchequer would see his way to put a stop to this dangerous mode of dealing with taxation. The Act of last year allowed any farmer living in houses of £10 rental and under to pay part of his wages in beer; and it was now proposed to bring in those under £15 who brewed for domestic use. But it was difficult to see how the arrangement could be carried out. Was the Excise officer to be continually running about houses within the limit to see whether the occupier was brewing for his own use only? Again, how could the Excise officer see that no beer was given away? It was utterly impossible that he could do so. On the other hand, a farmer might be willing to give a pint of beer to a poor man, but would be unable to do so, because he had not paid duty, owing to the exemption. He thought the Chancellor of the Exchequer would do well to fix the exemption at £10, as it now stood, which included cottage brewing, and so remove further pressure upon himself. Although he spoke as a brewer, he pointed out that the question of exemption did not affect the London brewers; but, regarding the proposal as wrong in principle, he begged to move the Amendment standing in his name.

Amendment proposed, to leave out all the words from "the," in line 19, to "use," in line 23, inclusive.—(*Mr. Watney.*)

MR. GLADSTONE: I think the hon. Member will see that I cannot, with any propriety, agree to strike out this sub-section. The hon. Member must, I think, have become aware of that during the discussion which has taken place in the last two hours.

MR. WATNEY agreed that his contribution to the discussion came very late; nevertheless, he felt it his duty to make a strong protest against the proposed extension of the exemption from duty. Having done so, he was not unwilling to ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. STORER pointed out that under the Act of 1880 it was provided, in the case of houses below £10, that a person brewing other than for sale should only brew beer for his own domestic use, or for the consumption of his own farm labourers. If that provision was not now extended concurrently with the present extension of exemption, the effect would be that a man living in a house of an annual value between £10 and £15 could only brew for his own use, and not for his labourers; while the man who occupied a house under £10 value would be able to brew for his labourers. It was, he thought, unjust that what was given to one class should be denied to the other. With regard to the arguments of the hon. Member for East Surrey (Mr. Watney), he considered it very extraordinary that the hon. Member should come down to the House and ask for the maintenance of the brewers' monopoly after the farmers' monopoly had been done away with. It was to the interest of the public that there should be a little wholesome private brewing, for he had known occasions when the farm labourers objected to have brewers' beer—they would not have it at any price. The Amendment advocated by the hon. Member would tempt labourers into the public-house; and it was certainly not in the interest of the cause of temperance that they should go there. He had heard it in evidence, that on one occasion a man who had not had more than two pints of beer came out from a public-house quite drunk. No one ever heard of a man being drunk on home-brewed beer, because it was much more wholesome than the other. He hoped the Chancellor of the Exchequer would agree to his proposal to allow those who lived in houses of between the annual value of £10 and £15 to brew for the labourers engaged on their own farms.

Mr. GLADSTONE: It is really very doubtful whether we ought to allow the man at £10 to brew without payment of duty; and it is quite impossible to extend the clause of the Act of last year, as suggested by the hon. Member for South Nottinghamshire (Mr. Storer).

Sir BALDWYN LEIGHTON asked whether the term "domestic use" would include labourers living in the farm-house?

Mr. GLADSTONE: Yes.

Mr. HICKS said, he could not accept the words proposed by the right hon. Gentleman as a substitute for the Amendment standing in his name.

Mr. GLADSTONE: They are not mine. They are the words of the hon. Member for South Nottinghamshire, which I am quite willing to move, if he likes to leave it in my hands.

Mr. HICKS said, he understood the Chancellor of the Exchequer to propose that the clause should remain as it stood, and to add certain other words.

Mr. GLADSTONE: No. I propose to take the Amendment of the hon. Member for South Nottinghamshire.

Mr. HICKS said, he could not agree to that. The clause introduced an entirely new principle in the mode of taxation. As the law stood at present, those who were supposed to be liable to pay Inhabited House Duty had their cases heard by the Commissioners of Taxes in the district in which they lived. They went before the Commissioners at the instance of the Surveyor of Taxes, who appeared on the part of the Crown, the person said to be liable appearing in his own defence, and the Commissioners acting as Judges. By the present clause it was proposed to take that jurisdiction away from the local authorities, and hand it over to the Revenue Commissioners at Somerset House. But it was suggested that the person aggrieved by the decision of the Commissioners of Inland Revenue should have an appeal to the Quarter Sessions. But had the Committee any idea of the cost of an appeal at Quarter Sessions? Why, in the case of a person occupying a £10 house, it would, in proportion to his means, amount to a very serious tax. He could not understand why the Committee should be called upon to pass words that would effect an alteration in the way in which taxes were levied in this country. If it was the intention to alter the existing law, let it be done in a plain and open manner, and not by the introduction of words which left people in ignorance of the real change effected. He maintained that the value of the house should be ascertained by the Commissioners of Taxes for the district or division in which the brewer resided.

Amendment proposed,

In page 7, line 35, to leave out all words after "by" to the end of Clause, and insert "Commissioners of Land and Income Tax for the district or division in which the brewer resides."—(*Mr. Hicks.*)

Sir WALTER B. BARTTELOT said, the Commissioners of Income Tax were the very persons to deal with this question, as they had to deal with houses now assessed for the House Tax. It would cost the parties nothing to appeal to them; whereas if they went to Quarter Sessions, there would be a great expense.

Mr. GLADSTONE said, it would be quite contrary to the views of the Government that there should be any disadvantage in point of cost of appeal. He would take care there should be no ground for the objection just stated by the hon. Member for Cambridgeshire (Mr. Hicks), so far as expense was concerned.

COLONEL MAKINS said, it was very well for the right hon. Gentleman to say there would be no expense; but he did not think he could prevent it.

THE CHAIRMAN: The Amendment is, by leave, withdrawn.

MR. HICKS: No, Sir; I have not withdrawn my Amendment, and do not intend to do so. I hold the appeal should be to the Local Commissioners, as at present.

MR. GLADSTONE said, he would substitute the words "Commissioners of Land and Income Tax" for "Court of Quarter Sessions," as desired by the hon. Member for Cambridgeshire (Mr. Hicks).

MR. HICKS thought the right hon. Gentleman was not aware of the position in which the matter stood at that moment. For a great many years he (Mr. Hicks) had been a Commissioner of Taxes in his own district, and during that period he had, from time to time, been called upon to decide whether houses were or were not liable for Inhabited House Duty. All he asked was that the annual value should be ascertained by the Commissioners of Land and Income Tax.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 7, line 37, to leave out the words "and their decision shall be final," in order to insert "But an appeal shall be from their valuation to the Commissioners of Land and Income Tax for the district or division in which the brewer resides, whose decision shall be final."—(*Mr. Gladstone.*)

COLONEL MAKINS asked if the right hon. Gentleman would insert in a subsequent clause of the Bill a definition of the term "annual value?" A great deal of importance attached to this point. In other Acts of Parliament a clear definition was given to the effect that annual value was the rent which a tenant might reasonably be expected to pay, taking one year with another—and so forth, in the usual form. His object was to ascertain from the Chancellor of the Exchequer whether the annual value referred to in the clause was subject to the ordinary interpretation, and, if not, whether a clause would be brought up for the purpose of defining the term.

MR. GLADSTONE: It will be subject to the general rule.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 17 and 18 *agreed to.*

Clause 19 (Goods liable to a duty of customs or excise may be warehoused in a customs or excise warehouse).

MR. ANDERSON said, he had an Amendment on the Paper to add, at the end, the words—

"And the provisions of section one hundred and fifteen of 'The Spirits Act, 1880,' for remission of duty on spirits accidentally destroyed shall be held not only to the taking them out of store and putting them on board ship, but to any accident happening during the conveyance of such spirits from the store to the ship."

The object of the Amendment was to remove a great grievance, for, at present, though the duty was remitted when the spirits were destroyed in loading at the store, or in putting into the ship, it was not remitted if the goods had been removed even half-a-dozen yards from the store. Several cases of this kind had been brought under his notice recently by his own constituents. However, as the Treasury thought getting rid of the grievance might lay open the door to fraud, and as he was unwilling to occupy the time of the Committee at this hour of the morning (2 a.m.), he would not press the Amendment.

LORD RANDOLPH CHURCHILL said, he was informed by several hon. Members on that (the Opposition) side of the House that the Prime Minister had agreed that Progress should be reported after Clause 16.

MR. GLADSTONE: I said exactly the reverse.

Clause *agreed to.*

PART II.—TAXES.

Clause 20 (Grant of duties of income tax).

MR. GREGORY directed the attention of the Chancellor of the Exchequer to the deduction of Income Tax on the Indian Four per Cents, which appeared to be at the rate of 6½*d.* in the pound for the past year.

MR. MAGNIAC said, he had called attention last year to the case of owners occupying their own land who paid Income Tax under two Schedules. They paid under Schedule A as owners, and also under Schedule B as occupiers. The grievance to which he had drawn attention had become very much aggravated since last year, when he had pointed out that there were many thousand acres of land in the country lying unoccupied and thrown upon the owners' hands. The amount of unoccupied land, unfortunately, had largely increased since last year. He had had a Return got out for the year 1880, and he found that there were 20,000 acres in the county of Bedford unoccupied; and although the owners received relief under Schedule B by the Act of last Session, which extended to owners occupying their own lands the power of appeal previously conceded to occupiers, there was no power on the part of the Government to give it under Schedule A. He should like the Chancellor of the Exchequer to take this matter into consideration, and to see if he could not give the owners the same relief under Schedule A that his Predecessor in Office had given under Schedule B. He did not suppose it would be possible, or, at any rate, convenient, to import any words into the Act to bring about the alteration; but the case for the relief being given was so clear that he thought the Chancellor of the Exchequer ought to take the matter in hand. It was perfectly well known that there were hundreds—probably there were thousands—of owners who paid last year Income Tax in respect of land which was unoccupied. There were many clergymen whose glebes were unlet, and although they obtained relief as occupiers, there were no means of obtaining relief as owners. Another hardship in connection with this case was the assessment on which the Income Tax was levied. Legally, it was not the case; but, practically, it was made upon the Poor Rate assessment, which was a relative basis. It was a basis fixed with regard to the relative value of property in each parish or Union. On that basis the assessment in one case might be 100 per cent over the true value, whilst it might not be unjust to the occupiers as between themselves. He would appeal to the right hon. Gentleman to take this matter, also, into consideration. With regard to the taxation of unoccupied land, he would remind the Chancellor of the Exchequer that this was the only case in which a person was called upon to pay a tax upon an income which was really no income at all.

Sir BALDWYN LEIGHTON moved to report Progress. This was a very large question, and, no doubt, many hon. Members wished to speak upon it. There was a great deal of distress existing in the country, and the law as it stood at present was felt to be a great grievance—to pay Income Tax under Schedule A upon income that had never been received. Therefore he trusted that, in dealing with the matter, the Chancellor of the Exchequer would make them a plain statement. The question was a most difficult one, and he hoped the right hon. Gentleman would not insist upon its being considered now.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Baldwyn Leighton.*)

Mr. GLADSTONE: I am very sorry the hon. Member has thought it desirable to make the Motion. There are few Members here to whom the effort of sitting through this Committee is greater than it is to myself; but there is a very solemn obligation resting on me, and that is to do nothing which can in any way interfere with the progress of the great measure which is now before the House—the Irish Land Bill. I hope hon. Members will consent to sacrifice their convenience a little further. This question is one which it would be impossible to settle in a cross-Table conversation here. There has been no Notice given with regard to it, and it is clearly a matter of great complexity and difficulty. [Sir Baldwyn Leighton: The question of Schedule A?] Yes. The question of Schedule B was comparatively simple, and that has been settled; and with regard to Schedule A, I am perfectly ready to consider any statement which may be made to me with regard to the circumstances referred to by the hon. Member (Mr. Magniac). I do not say it is not perfectly fair—looking at the present state of things in the country—to bring the matter forward; but I am sure it would be impossible, without a great deal of consideration, to make such an examination of the question as it deserves and requires. When we consider that we are to adopt principles, not only applicable to the peculiar circumstances of the present time, but applicable to all circumstances and to all time; and when we consider that there is a large quantity of land in the country held for the purpose of sport and not for the purpose of trade, we at once see how difficult the question is. It will require great consideration to do justice to it, and I am sure it would not be possible for us at present to settle it on a new basis.

Lord RANDOLPH CHURCHILL hoped his hon. Friend would stick to his Amendment, and not be intimidated by the clamour around him. This was an important Bill, and when, at 10 minutes past 2 o'clock, a Motion was made to report Progress, the Prime Minister and the Government coolly proposed to the Committee to go through the Bill, because they had another legislative measure which must come on on a particular day at their command. [" Oh, oh!" *and* " Divide!"] Hon. Members might go on with these interruptions as long as they liked; but he would point out to them that they were only wasting time. There never was such a demand made upon the House before—that because the Government had a legislative measure of greater or less importance to pass, therefore the House of Commons was to be kept sitting until 3 or 4 in the morning in order to pass another Bill, and no proposal to report Progress was to be considered. Never before had a Prime Minister endeavoured to pass off such conduct on an Opposition. For the sake of principle —[*Laughter.*]—hon. Members seemed to think there was no principle involved in dealing with the finances of the country at 3 or 4 o'clock in the morning; but what would have been said of the Conservative Government if it had attempted to do this? For the sake of principle, and as a protest against the voting of money in Money Bills at a quarter past 2 in the morning, he hoped the Motion would be pressed.

Mr. WARTON felt it to be his duty to support the Motion for reporting Progress. He felt the appeal—the almost personal appeal—of the Premier, who said that, though it was extremely inconvenient for him to sit up, he would sit up to any time if necessary. But he would point out to the right hon. Gentleman that it was not necessary for him to sit up. They were to have a Morning Sitting to-morrow, and were promised an exciting day in the discussion of the Irish arrests, in which the constituents of many hon. Members took a great deal of interest. The Prime Minister had given the opportunity for the discussion; but they did not know whether the matter could be disposed of in the five hours which would be available at the Morning Sitting, and whether they might not be asked to sit up all night to-morrow, as they were doing now. Of course, he did not know whether they would sit up all night to-morrow; but he was looking on this as a matter of principle, and, consequently, contemplated that which possibly might occur. If the Government chose to bring in a large number of Bills, more than they could conveniently carry, they must take the consequence. If they were to pass the great Land Law of Ireland, somehow modified to suit the feelings of Members in different parts of the House, well and good; but the Government should give up some of their Bills. The sooner they gave up the Bribery Bill, the Ballot Bill, and the Bankruptcy Bill —the sooner they gave up the " three B's" in favour of the " three F's"—the better. It was too much to expect of hon. Members that they would put themselves to inconvenience to pass a whole host of measures which were not required by the country. Hon. Members opposite had objected very much to what they called the " Imperialism" of the late Government; but there was a worse word, which could be aptly used in connection with the present Government, and that was " imperiousness."

Mr. DODDS said, there were a considerable number of Amendments yet to be disposed of, but all of them had reference to those parts of the Bill relating to Probate and Legacy Duty, and he was sure it would not take longer to dispose of them than the time it would occupy the Chairman in reading them. The Amendments were mere formal matters, and he saw no reason why the Bill should not be gone through in another 10 minutes. [" No, no!"] Hon. Members said " No;" but he said "Yes." He challenged contradiction when he said that there was not one Amendment which, unless it were for the purpose of wasting the time of the Committee, would take more than five minutes to dispose of. He hoped the Motion for reporting Progress would be withdrawn.

Sir BALDWYN LEIGHTON said, the answer of the Prime Minister entirely corroborated what he had said, because the right hon. Gentleman had stated that the question of the payment of Income Tax under Schedule A was so important that it could hardly be discussed across the Table of the House.

Mr. GLADSTONE: No, no.

Sir BALDWYN LEIGHTON: I understood the right hon. Gentleman to say that.

Mr. GLADSTONE: My hon. Friend has entirely misunderstood me. This is a proposal to introduce an entirely new method of dealing with the Income Tax; and the question is, whether the owners of land shall be excused for paying the tax in regard to that part of their property which is unoccupied, and for which they do not realize anything. This is a large and difficult question, which will have to be carefully considered. There is no proposal before me; and what I say is, that I cannot undertake to discuss the question, under the circumstances, at the present moment. The matter may be opened up on some future occasion, and we may have to ask the House to deal with it. With regard to the statement of the noble Lord as to my supposed declaration with reference to reporting Progress, what I really said was that, so far as I was aware, there was no question after Clause 16 that was a contested question.

Mr. MAGNIAC said, the Prime Minister had misunderstood the remarks which had fallen from him. He had made a definite proposal, and it was one which need not delay the passage of the Bill for one minute. He had requested the right hon. Gentleman to consider whether he could not deal with Schedule A as his Predecessor had dealt with Schedule B. He hoped the Government would consider the matter, and, if possible, do something without delay; but if, at the beginning of next Session, he found that nothing had been done, he would himself make some proposal on the subject.

Mr. GREGORY said, he was responsible for some of the Amendments to subsequent clauses of the measure; but he could not flatter himself that they would all be agreed to. If he thought they would, he should be easy in his mind; but he was afraid that some of them might lead to discussion. He did not wish to delay the Bill for a moment, and he therefore hoped the hon. Member would withdraw the Motion. He, for one, was willing to go on with the Bill.

Mr. HEALY said, the Chancellor of the Exchequer seemed to think it a great crime on the part of the Committee to move to report Progress. The Government had wasted three months of this Session with the Coercion Bill, and if the Prime Minister now found it necessary for him to keep up during a large portion of the night to pass this Bill, he must remember that he had only himself and the Chief Secretary to blame; and when he appealed to the House he must remember that there was a section it was quite in vain to appeal to. It was quite in vain to appeal to men of his (Mr. Healy's) way of thinking, anyhow; and, so long as they could not get a civil answer from any Member of the Government, it would continue to be in vain. So long, moreover, as their countrymen continued to be arrested it would be in vain. These arrests would never be forgotten in Ireland—never.

Colonel RUGGLES-BRISE believed a great many hon. Members wished to express their opinion of the clause of the Bill at which they had arrived. The clause dealing with Schedule A was a most important one, especially to people in the country. He had every sympathy for the state of health of the right hon. Gentleman opposite, and he was sure most hon. Members would agree with him in thinking that he ought to be in bed. He (Colonel Ruggles-Brise) fully, also, sympathized with the right hon. Gentleman in the sense of duty which induced him to ask them to continue the discussion of the Bill to-night; but, at the same time, he must point out that the argument on which the request for continued sitting was based had no effect whatever on that (the Opposition) side of the House. They did not see the force of these measures before the House.

Sir WALTER B. BARTTELOT would make an appeal to the Prime Minister. The right hon. Gentleman saw the position in which the Committee was now placed—he saw that it was absolutely impossible to go on with the Bill. The question was, was it wise to persevere? The right hon. Gentleman did not come down to the House very often during the time the late Government were in power; but if he had he would have seen what little support the Government got from the Opposition. It was now nearly half-past 2 in the morning, and, considering that they had to come down again at 2 in the afternoon, it was unreasonable to ask them to proceed with the Bill. His only anxiety was to promote the Business of the country, and he certainly did not think that the way to promote Business was to remain there wrangling at half-past 2 in the morning.

MR. BIGGAR said, there was another point made by the Prime Minister beyond those which had been mentioned by previous speakers, which appeared to him a very weak one. The right hon. Gentleman had appealed to the Committee to do nothing to interfere with the great Irish Land Bill. But the great Irish Land Bill now before the House was not a good measure. It was very complicated — no doubt, a good measure for the lawyers; but for the people of Ireland——

MR. MARJORIBANKS: I rise to Order. I wish to ask whether the hon. Member is in Order in mentioning the provisions of that Bill?

THE CHAIRMAN: The hon. Member is not in Order in mentioning the provisions of the Irish Land Bill.

MR. BIGGAR said, he had said all he had to say on that subject. The hon. Gentleman near him (Mr. Healy) had mentioned another matter to which he (Mr. Biggar) wished to draw the attention of the Chief Secretary to the Lord Lieutenant and the Prime Minister. The hon. Member had referred to the conduct of the Chief Secretary towards the Irish Members; and he thought that if the right hon. Gentleman were to get a caution from the Prime Minister with regard to his general behaviour and his duty, the House would be able to get along more smoothly, and Irish Members would be more inclined to assist the Government. At present they were in this position. It was nearly 3 o'clock in the morning; they had to hear the opening speech of the hon. Member for Longford (Mr. Justin M'Carthy) with regard to the Irish arrests, and they had to come down to the House at 2 o'clock in the afternoon to continue the discussion. All this was rendered necessary—as the Irish Members alleged—through the misconduct of the Chief Secretary. All these difficulties had arisen through the action of the Government; and an appeal of this kind, therefore, certainly came with a bad grace from the Treasury Bench. The question before the Committee in the Customs and Inland Revenue Bill was one of considerable difficulty, and he failed to see on what grounds the Government could ask them to go into the discussion at this hour. The thing could not be done. He had had some little experience in the last Parliament of matters of this sort, and he had never seen any good to anyone come out of an attempt on the part of the Government to force on Business at such an hour, against the will of a large section of the House.

MR. GLADSTONE agreed to Progress being reported, finding a section of the House — though, he believed, a very small section—determined to impede the progress of the Committee. He tendered his most sincere thanks to hon. Gentlemen who had offered to sacrifice their own convenience on this occasion.

Question put, and *agreed to*.

Committee report Progress; to sit again upon *Thursday*.

## LAND TAX COMMISSIONERS' NAMES BILL.—[BILL 126.]

(*Mr. John Holms, Lord Frederick Cavendish.*)

### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. J. Holms.*)

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Healy.*)

MR. J. HOLMS appealed to hon. Members to allow the House to go into Committee on this Bill, which had already received the sanction of the House.

MR. SEXTON said, the hon. Gentleman who had last spoken wanted to put the House off the scent. Irish Business of urgent importance had to be brought before the House to-night, and Irish Members had been waiting for hours. Two hours ago they would have been justified in asking that other Business should cease.

Mr. R. N. FOWLER said, he believed this Bill was not opposed, and he hoped the Motion for going into Committee would be acceded to.

Question put.

The House *divided:*—Ayes 11; Noes 80: Majority 69.—(Div. List, No. 209.)

Mr. BIGGAR begged to move, "That this House do now adjourn."

Mr. HEALY rose to second the Motion, but

Mr. SPEAKER pointed out that the hon. Member for Wexford, having already moved the adjournment of the debate, was out of Order in seconding the present Motion.

No other hon. Member rising to second the Motion, it was not put.

Original Question put.

The House *divided:*—Ayes 79; No 1: Majority 78.—(Div. List, No. 210.)

Main Question "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That the Preamble be postponed."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Healy.*)

Mr. BIGGAR said, there was room for an enormous deal of alteration and amendment in the Bill. It was a Bill that ought not to have passed the second reading, as it did, without discussion. He supported the adjournment, in order to have an opportunity of looking the Bill over.

Mr. T. P. O'CONNOR hoped the Government would not put the Committee to the trouble of a division. He should vote against them if they did. Eleven hours from the present time there was to be a Morning Sitting, when Members from Ireland were to bring before the House a most important Motion, dealing with the whole question of the Irish Executive, and some of them required a little preparation.

Mr. R. N. FOWLER said, that this was a purely formal matter. The Bill had previously been assented to, and the names to be submitted were those of gentlemen of high position in the City of London. The selection had been made without reference to politics, but solely with reference to their practical knowledge of the City of London; and he appealed to the House to allow the Motion to pass.

Lord FREDERICK CAVENDISH sympathized with hon. Members who desired not to be detained; and if this Bill had been allowed to go through Committee, instead of occupying half-an-hour, it would not have occupied a minute.

Mr. CALLAN appealed to the hon. Member for Cavan to allow the Bill to go on.

Mr. BIGGAR said, it seemed to him there was something very peculiar under this Bill; and he thought they ought to have the names before them before going on with it.

Question put.

The Committee *divided:*—Ayes 9; Noes 78: Majority 69.—(Div. List, No. 211.)

Question again proposed, "That the Preamble be postponed."

Mr. O'DONNELL hoped the Government would concede what was asked. He observed that when the Liberals were in Opposition the iniquity of the Land Tax was a fertile theme of indignant denunciation; but now the House was told that this Bill could be passed through without even the preliminary communication to the House of the names of the Commissioners to be appointed. It was not creditable on the part of the Liberals to treat the question in that manner; and he hoped the Government would accede to the request, and hasten on to the Motion which the Irish Members had at heart. It did not show a great amount of courage on the part of the Government to persist in forcing opposition to the Irish question at such an hour in the morning. He did not wish to carry his opposition to the length of endeavouring to throw out the Bill; but he thought it should be brought on at another time, and that no further opposition should be advanced against the discussion of the Irish Motion.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. O'Donnell.*)

Mr. W. E. FORSTER: I think everyone is aware that we might now have been hearing the hon. Member for Longford (Mr. Justin M'Carthy) but for the Motions which have been made. No one doubts that if the usual course had been adopted, the Bill before us would have passed as a matter of course. It has been very late for some hours for the hon. Member to bring forward his Motion, but he will be able to speak in reply afterwards; and if the hon. Member who has just sat down thinks I intend to take an advantage I will state that, wishing myself to be prepared to take part in the debate to-day, I shall go to bed.

**MR. HEALY** thought that as the spirit of contention had left the House they might proceed more quietly. He pointed out that at half-past 2 the right hon. Gentleman on the opposite side had moved that the Speaker should leave the Chair; and he stated that the Irish Members were determined, when matters of this kind were brought on at that hour in the morning, to oppose them. There was not the slightest necessity for the Government to go on with this measure, and it was they who delayed Business. Whenever an appeal was made to the Irish Members under such circumstances, they would be obliged to remind the Government that they had wasted three months of the Session in legislation of a most invidious character; and when Motions of this kind were made at 2 o'clock in the morning, he should exhaust his rights as far as he could in opposition.

Question put.

The Committee *divided*:—Ayes 9; Noes 77: Majority 68.—(Div. List, No. 212.)

Question again proposed, "That the Preamble be postponed."

**MR. HEALY** said, the hon. Member for Longford (Mr. Justin M'Carthy) had informed him that he would be obliged to go home and postpone his Motion, if he (Mr. Healy) persisted in dividing the House. If he could see his way out of that difficulty he would stop all night; but if Motions to take such measures at that time were made, he should pursue the same course as he now had.

Question put, and *negatived*.

Preamble *agreed to*.

Bill *reported*, without Amendment; to be read the third time *To-morrow*, at Two of the clock.

## MOTIONS.

## IRISH EXECUTIVE.

### MOTION OF CENSURE.

**MR. JUSTIN M'CARTHY**, in rising to move the following Resolution:—

> "That, in the opinion of this House, the action of the Irish Executive in arbitrarily arresting a Member of the House without reasonable ground; in proclaiming a state of siege in Dublin; in imprisoning the Rev. Mr. Sheehy and many other men of high character and good conduct; and in affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions is an abuse of the exceptional powers conferred by Parliament; and is calculated to promote disaffection in Ireland;"

said, he thought most Members of the House would agree that hardly ever had anyone risen to address an Assembly like this under conditions of such great disadvantage. The main object one might have in stating a case of this kind was almost entirely frustrated by the lateness of the hour and the thinness of the House, and by a natural objection to keeping too long an unwilling audience; while the Minister of State to whom he wished particularly to appeal had been in such a hurry to get away from his duties that he had gone home to bed, and left the House to manage affairs as best they could without him. Under those circumstances, he should not make a lengthy statement of the case he had to urge against the Government. The points he wished to state were those set forth in the Motion. The Irish Members contended that the arrest of Mr. Dillon was an act of unspeakable discredit to the Government, and an act which would discredit the Government so long as they remained in power. They had heard some extraordinary casuistry not long ago with regard to the complaint that the Government had arrested Mr. Dillon in order to remove out of their way a political opponent who was coming to oppose them in the House. It was well known to all his Colleagues that the hon. Member for Tipperary (Mr. Dillon) had announced in Dublin his intention to come to the House to expose the results of the policy of the Government in Ireland in enforcing evictions by the aid of military and police. He said—"We shall make an attempt in the House of Commons next week to expose the policy of the Government;" and those who knew the hon. Member knew that when he said "we are going" to do something, he was not likely to mean that he was going to send someone else to do it, and to remain away himself. It was, indeed, a matter of perfect notoriety that he was hurrying to the House of Commons. They were asked by the Prime Minister to prove that; they were bidden to produce their legal evidence; and the Head of the Government, who invented and applied the principle of reasonable suspicion, called upon them to give legal proof that Mr. Dillon had used the words ascribed to him, and had announced the intention which those words would imply. It was a discreditable act on the part of the Government to arrest a political opponent in order to remove him from an important discussion, and they charged the Government with having arrested him without any reasonable ground whatever. They had the word of the Chief Secretary that one of the Judges had declared that Dublin was in a state of exceptional tranquillity; and that because two speeches were made at a meeting by persons whose names it was, apparently, not worth his while to mention, a City containing 200,000 or 300,000 persons was deprived of its liberty. This was another of their charges against the Government. They charged them with having acted discreditably, unjustly, and most unwisely in the arrest of a Catholic clergyman, the Rev. Mr. Sheehy, and other men of good conduct and high character. These arrests were increasing every day. Only to-night they had heard of one other case of arrest; but in arresting a Catholic clergyman the Government had taken a new and an ill-omened departure. Never—at all events, in the time of living man—never, since the worst and most evil days of English rule in Ireland, was a Catholic clergyman arrested on such a charge—nay, on no charge whatever put into tangible form, only on "reasonable suspicion"—and confined in prison. He should have liked to ask the Chief Secretary to the Lord Lieutenant, if he were here, whether he would pledge himself, when he came to enter on the defence of the Government, to give distinctly the nature of the charge on which this clergyman had been arrested — not to escape by reading the technical terms of the Warrant, which conveyed nothing to anyone's mind, but to give them an idea as a statesman, if he had any notion of what the duties of a statesman were, of the offence they were prepared to charge him with before Parliament and the country. The right hon. Gentleman had told them more than once that these arrests were not intended to put down the Land League; and only the other day the Prime Minister had repeated that statement. The Prime Minister had said there was no intention on the part of the Government to put down the Land League, or to put down popular agitation; and he added that neither priest nor layman had been arrested by the Government because he was a member of the Land League, or because he was a supporter of the Land League, or because he had taken part in any popular agitation, even though that agitation might, sometimes, have gone beyond the bounds of that which the Government considered reasonable and consistent with public safety. Well, they had this distinct declaration, that for no speeches made on behalf of the Land League, and for no support given to it, but for something different and much more grave, this Roman Catholic clergyman had been arrested and consigned to imprisonment. See the immense importance of this. Was this clergyman charged with a crime? Were they to understand that the Government believed they could make some charge against him so serious as to amount to actual criminality, and yet, having the knowledge they believed themselves to possess, the public were to learn actually nothing of the grounds of the arrest? Did any hon. Member of the House really believe that the Irish public would for a moment think that the Rev. Mr. Sheehy was guilty of anything like an offence? He had not the pleasure of knowing Mr. Sheehy, but he knew many who were well acquainted with him, and he knew how high his character stood. No priest stood on better terms or higher with his people, and no accusation that the Government could make would, for a single moment, prevail against him. He did not know whether the right hon. Gentleman the Chief Secretary had noticed the significant fact that immediately on the arrest of Mr. Sheehy his place in the local division of the Land League was taken by another Roman Catholic clergyman. He (Mr. Justin M'Carthy) wondered whether that fact conveyed to the mind of the right hon. Gentleman any idea of the difficulties of the situation he was creating for himself. He wondered whether he was prepared to go on arresting clergyman after clergyman. For he could assure him—or he would if he were listening—that nothing was more certain than that the Irish clergymen would stand together, man to man; that they would be deterred by no menaces; that they would be stayed by no punishment the Government could inflict; that they would hold by their order, by their country, by their people, and their principles; that such arrests as that of Mr. Sheehy would make them more firmly resolved to stand by the people than they were before; and that the right hon. Gentleman had raised up an enemy of whose strength and enduring power and patriotic resolve to resist arbitrary rule he had no idea whatever. That was another of their charges against the Government. Then, he charged against the Government the issue of that most extraordinary, that most unparalleled secret Circular of which they had heard for the first time within the past few days. During the whole course of his experience he had never known, he had never heard, of any such Circular being issued by an English Government. To-night, when the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, on the spur of the moment, as soon as the Questions on the Paper were over, offered to answer a Question on the subject, he was fully under the impression that the document was a fabrication—he was convinced that the right hon. Gentleman was anxious to rise, in order, triumphantly, to announce that the Government knew nothing whatever about the Circular. How great, then, was his surprise when he heard the Chief Secretary, in his place, admit his knowledge of the document, and declare that he had authorized its publication. What was this secret Circular which had been distributed for the guidance of the Irish police? It said—

"This document is not to leave the hands of the County Inspectors to whom it is addressed, and must be kept under lock and key. Any orders given to insure the instructions in it being carried out must be communicated verbally"—

He supposed the word meant was "orally," the Chief Secretary appearing to be under the impression that things were not written as well as spoken "verbally."—

"when practicable, to sub-inspectors, head, and other constables, as emanating from the County Inspectors themselves."

That was to say, the Chief Secretary deliberately authorized the issue of instructions which amounted to nothing less than the conveying of false statements to their officials. He would not read the whole of the Circular now. No doubt, there would be abundant opportunity at the next Sitting of the House to comment upon it; but those who read it through would see that it was a most direct incitement to the police to become "reasonably suspicious." It expressed wonder and anger that the police had not suspected a great many more people; it showed the Inspector General at a loss to understand how the police officers could declare that they had no "reasonable suspicion" of all their neighbours; and then it appealed to these officials, at the end, in words that sounded more like those of a military proclamation than of an address to a civil force, to wipe out the disgrace upon their efficiency owing to their lack of suspicion, and to be energetically "up and doing," striving to redeem their honour by the arrest of as many persons as possible. They were reproached and denounced for not having suspected more liberally the people amongst whom they lived. One was reminded, in this matter, of the lines of the Elizabethan poet—

——"Have you eyes,
And can you not suspect? Peer closely in—
There's not a neighbour, be he ne'er so good,
But cunning looks shall spy some speck or stain
To justify accusers."

These were the last words of the Circular—

"The Inspector General can only express an earnest hope that the energies of both officers and men will be used to wipe out what must necessarily appear to those unacquainted with the difficulties they have to contend with to be a reproach to their efficiency as preservers of the peace and detectors of crime."

Now, there were only two explanations of that Circular—either the one that was obvious on the face of it, that the police were to be goaded on, bullied on, to new suspicions and new arrests; or that the Government had reason to believe that the police, so long loyal to the rule of the Crown, could no longer be relied on when it became a question of a struggle between the landlord class and the peasant class, from whom the constabulary had, for the most part, sprung. He wished the House had an opportunity of seeing that document translated into French. The Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke) was a great proficient in the French language; and if he would give them a version in French, he doubted whether the consciences of the most docile supporters of the Governmenton the other side of the House would approve of such a Circular in the language of the Second Empire of France. He wished they had heard of something like it from Russia. With what virtuous indignation they would all have stormed at the baseness of that despotic Power, which stooped to paltry tricks of this kind to make its heavy hand more heavily felt throughout the country! That, then, was another of the charges they wished to formulate against the Government. But, more than that, they charged against the Irish Executive that their action—

> "In affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions is an abuse of the exceptional powers conferred by Parliament, and is calculated to promote disaffection in Ireland."

Events within the last few days had shown what a result had come from the recent policy of the Government—how nearly, indeed, they had brought them to that civil war which the Prime Minister told them, some time ago, they had come within measurable distance of—how an agrarian war, in which class was against class, had been forced on the country. They had, lately, had scenes of desperate violence in Ireland; and it was remarkable that in one case the blood which, otherwise, would most certainly have been shed, was prevented from being shed by the heroic exertions of two or three members of that order to which belonged the Rev. Father Sheehy, whom the Government had now committed to gaol. He would ask the right hon. Gentleman the Chief Secretary, when he came to make his defence, to tell them what he had got by his coercive measures in Ireland. He could not say that he had been allowed to impose them without warning. There was not an Irish Member—at least, on that side of the House—who spoke during all those long debates on the coercive measures who did not tell him that the inevitable result would be to increase fourfold the crime and outrage in Ireland. The result they had foretold was now manifest. The right hon. Gentleman had taken away many of the most influential leaders of the people; he had forced many classes into the hands of conspiracy; he had given a new charter and lease of life to midnight organization. Speaking with a most complete sense of the meaning of the words, and the responsibility attaching to them, he could not help saying that no greater calamity ever happened, in our time at least, than the fatal resolve of the Government to open this Session with the Coercion Bill. Then, indeed, whatever good genius the Administration had seemed to have deserted it. He used plain expressions, because he did not think it worth while to waste the time that would be needed for the purpose of qualifying the terms used to describe the policy of the Government. He described that policy in the language it deserved. The Irish Members had been admonished several times in the House that they ought to be courteous and civil in their dealings with the Government. The Prime Minister himself had admonished them more than once. The right hon. Gentleman, if he might be allowed to say so, was the Sir Anthony Absolute of the House of Commons. In a tempest and torrent of invective he reminded them of the necessity of keeping cool and collected; in a wild burst of excitement he told them they must keep their tempers; and, metaphorically, flourishing his staff round their heads, he vowed that nothing they could say should put him into a passion. He (Mr. Justin M'Carthy) should bear the right hon. Gentleman's admonition in mind, and never speak of the policy of the Government in terms stronger than the barest and baldest description. These, then, were the charges they had to make against the Government. He had stated them in the barest form. They would be enlarged upon to-morrow in terms more effective than any he could use, and he hoped the Chief Secretary would give something like a clear and distinct answer to each of the charges. He would ask the right hon. Gentleman whether he really had a settled policy with regard to Ireland; whether he knew where he was going; whether he knew where he was drifting, yielding more and more to the suggestions of the officials of Dublin Castle; and whether he had ever asked himself what was to be the end of the strange and hateful policy into which he had launched? If he were here, he would have asked him to tell them candidly one thing more. They had heard many times from those who knew the officials in Dublin Castle that an opinion had long prevailed, amongst some of them at least, that there was a certainty, sooner or later, of an armed insurrection in Ireland. What he wanted to know was this. He did not accuse the Chief Secretary of any suggestion of the kind, he did not believe the right hon. Gentleman the Prime Minister would harbour the thought for one moment; but would he tell them whether in the minds of some of the officials of Dublin Castle there did not lurk the idea that it would be a better thing for all purposes and for all people to force on this crisis, so as to have the means of crushing it down with arms? He should urge an answer to this question. He did not believe that the Chief Secretary had any such idea, nor that the Prime Minister harboured it; but he wanted to have the question answered—whether there was not evidence which made it seem that such an idea did linger in the minds of some of the officials of Dublin Castle, and that the policy they now saw put in force was the result of an attempt to bring this crisis to a head, in order that force might be used to crush out every effort and movement on behalf of a distracted people? He should press for an answer to that question; and, perhaps, some Colleague of the now slumbering Chief Secretary would inform him, to-morrow, that the suggestion had been made, and that a direct reply was earnestly desired. At this hour of the morning he should not detain the House any longer. It had been with the greatest unwillingness that he had detained them this length of time; and he would now merely say that this was the case which he had stated, and which his Friends would support to-morrow. He would conclude with one parting piece of advice to the Government—though he did not think they would take much heed of it, as coming from his side of the House and from one of his political creed. His advice was this—they were distinctly drifting more and more to wreck of some kind; and the sooner they made up their minds to throw their Jonah overboard the better.

Motion made, and Question proposed, "That, in the opinion of this House, the action of the Irish Executive in arbitrarily arresting a Member of the House without reasonable gound; in proclaiming a state of siege in Dublin; in imprisoning the Rev. Mr. Sheehy and many other men of high character and good conduct; and in affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions is an abuse of the exceptional powers conferred by Parliament; and is calculated to promote disaffection in Ireland."—(*Mr. Justin M'Carthy.*)

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. O'Donnell.*)

Motion *agreed to.*

Debate *adjourned* till *To-morrow,* at Two of the clock.

## BOARD SCHOOLS (SCOTLAND) TEACHERS BILL.

On Motion of Sir Herbert Maxwell, Bill to confer upon Teachers of Board Schools in Scotland the right of appeal from the decisions of School Boards in cases of removal from office, *ordered* to be brought in by Sir Herbert Maxwell and Mr. Orr Ewing.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Four o'clock in the morning.

# HOUSE OF LORDS,

*Tuesday, 24th May,* 1881.

MINUTES.]—Public Bill—*First Reading*—Local Government (Gas) Provisional Order * (93); Local Government Provisional Order (Birmingham) * (94); Local Government Provisional Orders (Brentford Union, &c.) * (95).

*Committee*—Charitable Trusts Acts Amendment (59-96).

*Third Reading*—Local Government Provisional Orders (Poor Law) * (79); Bridges (South Wales) * (83), and *passed.*

## TURKEY AND GREECE—THE CONVENTION.—QUESTION.

THE EARL OF ROSEBERY: I beg to ask the noble Earl the Secretary of State for Foreign Affairs a Question, of which I have given him private Notice—namely, Whether the rumour that there has been a delay in the signing of the Convention between Greece and Turkey has any foundation?

EARL GRANVILLE: My Lords, in answer to the Question put by the noble Earl, I have to state that there was a little delay owing to a point of form; but I understand that the Convention has been signed this afternoon.

## CHARITABLE TRUSTS ACTS AMENDMENT BILL.—(No. 59.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (Short title) *agreed to.*

Clause 2 (Provision for transfer of property to official trustees).

THE LORD CHANCELLOR moved as an Amendment, in page 1, line 13, after ("charity,") to add—

("Of which the trustees or other persons in whom such real or personal estate is vested are not incorporated.")

Amendment *agreed to; words inserted* accordingly.

EARL CAIRNS, in rising to move the omission of the clause as amended, said, he was quite aware that the Government had inserted this power at the request of the Charity Commissioners, who, in their Report, had signified a desire to possess it; but he (Earl Cairns) contended that the granting of it would be attended with so much inconvenience that their Lordships ought not to comply with the request, seeing that there could be no doubt it was a power the Charity Commissioners meant to exercise all round. As he understood it, there were two reasons put forward as to why the Government asked for this power. In the first place, because it was thought that charity property would be much more safe in the hands of the Charity Commission than in those of the various trustees scattered up and down all over the country. In regard to landed property, that was not the case—for the trustees could not make away with it—it was perfectly safe where it was; and with regard to personal property, he wanted to know if there had been any loss owing to the action of the present trustees? The Charity Commissioners did not give any case; and he thought it was too much to say that there was any real danger in leaving it where it was. Then, again, it was urged, in the second place, that the large expenditure now incurred under a change of trustees would be lessened; but if a Bill, which had already passed their Lordships' House became law, the cost of transferring trust-property would be made an insignificant matter, as it would be diminished by three-fourths. He was, moreover, not at all sure whether it would not, on the whole, be better to adopt the Scotch system of making a simple minute of appointment of new trustees in their Minute Book valid for the passing to and investment in them of all the property in the possession of the old trustees. He thought the clause, as it stood, was something in the nature of a rebuff to all charity trustees throughout the Kingdom; and it would also have the effect of retarding charitable bequests, since it would encourage the apprehensions which were always felt, not only by the trustees of charities, but by many who gave charitable bequests, that there existed a design on the part of the State at some time to get charity property under its control for the purpose of taxation or manipulation of some kind; and nothing would tend to excite that feeling more vividly than the centralization of the property in the name of one of the officers of a Public Department in London. Another point in favour of the change was the question of expense, owing to the change of trustees. But, he asked, would the expense and trouble not be much greater than anything which would arise from change of trustees? The consequence of vesting estates in an official trustee would be that every lease of property in the country, and every document of letting, must be sent up to London to be executed by the official trustee.

THE LORD CHANCELLOR dissented from the statement.

EARL CAIRNS believed his view was correct; and would also point out that in the case of funded property, the official trustee would receive the dividends; and there must either be a power of attorney from him to the acting trustees to receive the money, or else, when the official trustee had received the money, he must in some way or other remit it to the actual trustees. It was absolutely certain that this operation must occasion a great deal of expense, annoyance, and personal trouble, and no more violent shock could be given to that very numerous and competent body of gentlemen who acted as trustees of charities than to suddenly, by an Act of Parliament, strip them of the legal holding of all the real and personal property which they had hitherto held, and which they had hitherto administered to the general satisfaction of the public. He therefore hoped their Lordships would agree that it was desirable to leave the property as it stood at present, and he would ask them not to pass the clause, on the ground that it was a needless interference with charity trusts, with no corresponding advantages.

*Moved,* "To leave out the Clause as amended."—(*The Earl Cairns.*)

THE LORD CHANCELLOR said, his noble and learned Friend (Earl Cairns) had spoken in forgetfulness that incorporated charities were now exempted from the operation of the clause; and he had also proceeded upon the assumption that because this power was given to the Charity Commissioners, they would immediately proceed to put it in operation with regard to all the charity estates in the Kingdom. Practically, however, their Lordships knew that general powers of this sort were not so exercised; and it would only be when particular circumstances brought particular estates and funds to the knowledge of the Commissioners that they would exercise their judgment as to whether it was expedient to take advantage of this power. He entirely demurred to the proposition that the object of the clause was to vest in the Charity Commissioners, through the official trustees, *ipso facto,* all the estates and funds of all the charities in the country. Its object was the removal of restrictions in the way of doing that which, in certain circumstances, was done already. His noble and learned Friend had asked what was the necessity for the clause, and had said that no loss had been shown under the present system. Did not his noble and learned Friend know that the records of the Court of Chancery were full of cases of applications to the Court, and litigation arising out of, he would not say the fraud, but the misappropriation of the capital of trust funds by trustees of charities — misappropriations due, in most cases, to misconceptions of their duty? Beyond all question, if these funds were vested in an official trustee, that practice would be effectually stopped. He referred his noble and learned Friend to the 12th section of the Act 32 & 33 *Vict.* c. 110, as showing that the vesting of the dry legal estate in the official trustees did not deprive the trustees of the charity of the power of making leases and other agreements. There would be no difficulty in having dividends paid to the trustees of the charity; and he denied that there was anything in the arguments of his noble and learned Friend founded on expense and sentiment. It appeared to him, that transferring the legal estate in charity funds and lands to a central authority, instead of increasing, would very much lessen the expenses, except when the trustees were incorporated. The real power would still remain with the trustees. He could not see any argument against the clause in the fact that it had been recommended by the Charity Commissioners, a public Body who had the interests of the charities at heart. All that was proposed to be done was to render more available for the security of charity property, and for the reduction of the cost of managing it, machinery devised for the very purpose and already in extensive operation.

LORD CLINTON said, that, as one who had been a Charity Commissioner, he heartily supported the clause. The sole desire of the Charity Commissioners in promoting it was to prevent abuses and the waste of charity property. In reality, no new power was conferred by the clause, the object of which was to remove certain restrictions in the exercise of powers already conferred upon the Commissioners. £10,000,000 were already vested in the official trustees, and the system was found to work beneficially, and interfered in no respect with the administration of the income by trustees of charities. As a proof of the necessity that existed for such a provision, he would refer their Lordships to the numerous cases in which loss had occurred in consequence of the misappropriation by trustees of the funds of charities under their control; and he earnestly hoped their Lordships would take that opportunity of preventing a recurrence of those abuses which in the past had constituted a sad chapter in the history of the charitable institutions of the country.

EARL CAIRNS said, that if there existed the danger which his noble and learned Friend (the Lord Chancellor), and his noble Friend (Lord Clinton), had pointed to, it would be the duty of the Charity Commissioners to make the clause one of universal application, and they would be bound in every case to transfer the property to the official trustee, lest by any chance there might be misappropriation. Incorporated bodies were to be exempted by his noble and learned Friend's Amendment; but why? Might not misappropriation be made by one of those Corporations, or by their officer? At that moment there were a great many charity properties vested in the official trustees by desire of the trustees of the charities. He had no objection where charity properties were so invested at the desire of the trustees of the charity, or by order of a Court of Equity; but, without some further reason, he was unable to see why Parliament, by a universal clause like this, should take property from a great number of persons who did not wish to part with it, and to place it in the hands of officials. He conceived that in doing so Parliament would be acting in a manner of extreme violence to the trustees of the country, who had not asked for the intervention of official trustees.

LORD ABERDARE, in supporting the clause, said, that, so far as could be ascertained, the amount of trust money in charitable funds was about £17,000,000, of which £10,000,000 was in the hands of the Commissioners. He would ask their Lordships to consider whether the funds in the hands of the Commissioners were not in the highest degree carefully and conscientiously managed, while the funds that required to be looked after most zealously were those which the Commissioners had been unable to reach—namely, those in the heads of corporate bodies.

THE MARQUESS OF SALISBURY said, with reference to the remarks of the noble Lord opposite (Lord Aberdare) they applied entirely to personalty; but the realty would equally, under the clause, be swept into the net of the official trustees. It was the experience of many of their Lordships that no clause of the Bill excited so much aversion among the trustees of charities throughout the country as that which was before the House. [*Ministerial cheers.*] He could understand those cheers. They meant, no doubt, that it was the intention of his noble and learned Friend (the Lord Chancellor), by the clause, to frustrate any guilty intention on the part of trustees; but it was precisely those trustees who had taken the greatest interest in their charities who considered the proposed clause would be specially prejudicial and most obnoxious. He thought it very undesirable to drive away from the management of charitable trusts the men whose co-operation was most valuable, as the clause most assuredly would do.

THE LORD CHANCELLOR said, the reason of their aversion was that the clause had been totally misunderstood, it having been thought that it was intended to take the whole management of trust property out of the hands of trustees, which was an entire mistake.

On question, "That the Clause, as amended, stand part of the Bill?"

Their Lordships *divided* :—Contents 75; Not-Contents 106: Majority 31.

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Winmarleigh, L.

*Resolved* in the *negative.*

Clause 3 (Extension of jurisdiction under 23 & 24 Vict., c. 136, s. 2).

THE MARQUESS OF SALISBURY, in rising to move, as an Amendment, in page 1, line 20, to insert after "Act," the words "other than orders for the establishment of a scheme for the administration of the charity," said, the meaning of his proposed Amendment was veiled in technical language; but it was this. At present, under the existing law, the Charity Commissioners had the power of framing schemes for charities with incomes under £50 per annum, and might do so without the concurrence of the trustees. That exceptional power was conferred upon the Charity Commissioners by Parliament, in reference, in the first place, to charities with incomes under £30 per annum, an amount that was afterwards raised to £50; because it was thought that these charities were too small to attract sufficiently the attention of their trustees in country districts, and that such charities were exceptional in this—that they were open not so much to malversation and abuse as to neglect, and because they were mostly established for purposes the utility of which had disappeared. It was now proposed by the clause under consideration, as it stood at present, to extend the power of making new schemes, now limited to the case of small charities vested in the Charity Commissioners, to the case of all charities throughout the country, without any regard to the amount of the charity funds, or whether the trustees were consenting parties to the proposed change or not. The "making of new schemes" was the largest possible phrase that could be applied to the manipulation of charities. The power which it was now proposed to confer upon the Charity Commissioners to make new schemes would place them, as regarded all charities, in precisely the position occupied by the original founders, whose wills and deeds of gift they would be able to re-write. They would be able to divert the funds of the charities, not only from the immediate objects which it was the desire of the founders to carry out, but to apply them to objects of a totally different character. It was perfectly true that, through the lapse of time, the object which a founder might originally have had in view might become obsolete, and that a change in the direction in which the fund should be applied might become necessary. But sufficient provision in that respect was already made by the existing law. As the law now stood, the necessary change could be brought about by a majority of the trustees making application to the Charity Commissioners to draw up a new scheme. The present clause, if agreed to without Amendment, would practically put aside the trustees altogether, and would hand over the whole control of the charitable funds of the country to the Charity Commissioners. His Amendment did not propose to maintain unalterably the application of the funds of either the old or the new charities of the country; while the clause, as it stood, proposed to set aside the trustees altogether, and to put the Charity Commissioners in their place. In fact, it was an attempt to set up a gigantic scheme of centralization. Now, although he had confidence in the present Charity Commissioners, he was not prepared to place unbounded confidence in all those who came after them. While he did not for a moment doubt the *bona fides* of those who had made this proposal, he desired to point out that the Charity Commissioners were appointed by the Government of the day, that their composition varied from time to time, and as they might be selected to carry out the ideas of the Government, it would be impossible to forecast what policy would direct them in framing new schemes for all the charities of the Kingdom, which, in the end, might lead to great abuses. He, therefore, moved the Amendment of which he had given Notice.

*Moved,* In page 1, line 20, after ("Act"), to insert ("other than orders for the establishment of a scheme for the administration of the charity.")—(*The Marquess of Salisbury.*)

THE LORD CHANCELLOR, in opposing the Amendment, said, that the noble Marquess (the Marquess of Salisbury) was fully justified in expressing confidence, not only in the present Charity Commissioners, but in those who had preceded them; for they had hitherto discharged their duties in a manner that entitled them to general confidence. He (the Lord Chancellor) would call attention to the fact that since they had been established the Charity Commissioners had before them 7,100 appealable cases. Out of that large number, there had been only six appeals, and only two of their orders had been discharged on appeal. With such an example of what these Commissioners had done in the past, he thought it was unfair to suppose that they would act differently in the future. Upon grounds of public policy he protested against the view being put forward in either House of Parliament that a Body of this character was to be distrusted, merely because some of its members were, from time to time, appointed by the Government of the day. If that argument were once seriously entertained, it was difficult to see where its application would end, as it might be used against giving power to a Court or to a Judge, and many other great officials of State. The effect of the Amendment would be to give a veto to the trustees of every charity above £50 a-year, whatever scheme of administration might be devised by the Charity Commissioners. Now, it was not when the trustees were zealous and enlightened, but when they were the reverse, that a scheme might be most wanted; and, in that case, the trustees would be the last persons to apply for it. The clause, if adopted, would not, as was supposed, give the Charity Commissioners power to reconstruct charities. It would simply enable them, upon the motion of the Attorney General, or of two persons interested in the charity, to settle a scheme which any persons who were dissatisfied with it, and especially the trustees, might make the subject of appeal to the Chancery Division. The want of the proposed power was constantly a source of embarrassment, obliging the Commissioners to do their work by halves.

Earl CAIRNS said, he did not deny that the Charity Commissioners had done very good service in past times and in relation to many things; but it did not, therefore, follow that they would act with equal efficiency if a totally different work was assigned to them, as was proposed in the present Bill; and he therefore, while approving generally the clause, thought it ought not to be passed unless it was modified in the form suggested by his noble Friend. What the present clause did was to give power to any two discontented parishioners to appeal to the Charity Commissioners; and he doubted whether there was a parish in England in which two persons could not be found to complain, and he thought that when there was any dispute it ought to be settled face to face in the way in which any disputed question could best be settled—namely, before a responsible tribunal. Nothing would lead to more heart-burning and more unpleasantness to those who had charge of the duty of administering charities than that statements should be made behind their backs, and that the Charity Commissioners should proceed to settle a scheme which would change the administration without both sides being openly represented in Court.

The LORD CHANCELLOR said, he had no intention of proposing that the Charity Commissioners should go behind the backs of trustees; but that they should act after communication with them, and in such a manner as to provide for the best result being obtained at the smallest cost. In the case of complaint, the Charity Commissioners would communicate with the trustees, who would be fully heard. If the two persons were merely impertinent intruders, their complaints would not be taken any notice of. The objection to forcing all cases of dispute into Court was the enormous expense involved. What was done before the Commissioners, in their private room, was done at vastly less expense than in open Court, and in the great majority of cases there was no appeal from the decision of the Commissioners.

Lord CLINTON supported the clause.

The Bishop of CARLISLE said, it had been stated that under the clause the Charity Commissioners could rewrite the will of a founder. He did not for a moment think they would do so; but he desired to know whether such a power was conferred upon them?

The LORD CHANCELLOR, in reply to the right rev. Prelate, said, that under the Bill a new scheme might be settled in cases contemplated by the section under consideration by the trustees, or by the Court of Chancery; but it was only in the event of there being surplus funds to dispose of that the will of the founder could be departed from. When there were no such surplus funds, the Commissioners would have regard to the intentions of the founder, and simply put the mode of executing them on a proper footing.

The Marquess of SALISBURY said, it had been intimated that the question raised by the clause was not one of great importance. If that were so, it was hardly worth while to alarm and distress all the trustees of charities in the country by this provision. But Parliament, in 1860, did not consider it of small importance, otherwise they would not have given the trustees the power which they did at that time. As the law stood, the trustees were able to express their views; but when the law was altered the charities would be entirely handed over to the Charity Commissioners.

On question? Their Lordships *divided:*—Contents 96; Not-Contents 55: Majority 41.

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Clancarty, V. (*E. Clancarty.*)
Gough, V.
Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*) [*Teller.*]
Melville, V.
Strathallan, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Carlisle, L. Bp.
Ely, L. Bp.
Gloucester and Bristol, L. Bp.
Llandaff, L. Bp.
St. Albans, L. Bp.

Airey, L.
Arundell of Wardour, L.
Ashford, L. (*V. Bury.*)
Braybrooke, L.
Braye, L.
Brodrick, L. (*V. Midleton.*)
Chelmsford, L.
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Congleton, L.
Cottesloe, L.
De L'Isle and Dudley, L.
De Saumarez, L.
Digby, L.
Dinevor, L.
Donington, L.
Ellenborough, L.
Forbes, L.
Granard, L. (*E. Granard.*)
Grey de Radcliffe, L. (*V. Grey de Wilton.*)
Harris, L.
Hawke, L.
Hylton, L.
Kintore, L. (*E. Kintore.*)
Lamington, L.
Leconfield, L.
Lovel and Holland, L. (*E. Egmont.*)
Northwick, L.
Oranmore and Browne, L.
Ormathwaite, L.
Plunket, L.
Poltimore, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Stanley of Alderley, L.
Stewart of Garlies, L. (*E. Galloway.*)
Strathspey, L. (*E. Seafield.*)
Talbot de Malahide, L.
Tollemache, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Windsor, L.
Winmarleigh, L.

NOT-CONTENTS.

Selborne, L. (*L. Chancellor.*)

Bedford, D.
Devonshire, D.

Lansdowne, M.
Northampton, M.

Airlie, E.
Camperdown, E.
Derby, E.
Ducie, E.
Fortescue, E.
Granville, E.
Kimberley, E.
Lovelace, E.
Minto, E.
Morley, E.
Northbrook, E.
Spencer, E.
Sydney, E.

Powerscourt, V.
Sherbrooke, V.

London, L. Bp.

Aberdare, L.
Annaly, L.
Ashburton, L.
Belper, L.
Blachford, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Brabourne, L.
Carlingford, L.
Carrington, L.
Churchill, L.
Clinton, L.
Colchester, L.
Coleridge, L.
Kenmare, L. (*E. Kenmare.*)
Lawrence, L.
Leigh, L.
Lyttelton, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L. [*Teller.*]
Monck, L. (*V. Monck.*)
Monteagle of Brandon, L.
O'Hagan, L.
Ramsay, L. (*E. Dalhousie.*)
Ribblesdale, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Sandhurst, L.
Skene, L. (*E. Fife.*)
Strafford, L. (*V. Enfield.*)
Sudeley, L.
Sundridge, L. (*D. Argyll.*)
Thurlow, L.
Wenlock, L.

*Resolved* in the *affirmative.*

On the Motion of the Marquess of SALISBURY, clause further amended, in page 1, line 25, by leaving out from ("pounds") to end.

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clause 4 (Approval of schemes made under 16 & 17 Vict. c. 137, ss. 54-60).

THE MARQUESS OF SALISBURY, in rising to move, as an Amendment, in page 2, line 27, and throughout the clause, to substitute "the Committee of Council on Education," for "one of Her Majesty's Principal Secretaries of State," said, he was not quite clear how the clause was intended to work. Before proposed alterations were laid before Parliament they were to be submitted to the Home Secretary; and he was not aware that at the Home Office there was any machinery corresponding to that of the Education Department for inquiring into the details of educational schemes. He did not know whether the Home Secretary was to have the power of altering or modifying any scheme before it was petitioned against that was now exercised by the Education Department. The Home Office did not seem to be a very suitable Office for such revision; it had no sub-departments to which the work could be referred. The practical result would be that the work of the Charity Commissioners would be entirely unsupervized, and the Home Office would practically allow them to do pretty much what they pleased. This method of proceeding by schemes required to be watched with much jealousy, or it would result in giving a Public Department unchecked power to make Acts of Parliament. He feared the effect of the proposed change would be to diminish the checks which now existed upon the acts of the Commissioners, and that there would be no check left over any proposals, except the power of moving an Address during the 60 days that a scheme was before Parliament. For the several reasons he had given, he would move the Amendment of which he had given Notice.

*Moved,* In page 2, line 27, and throughout, to substitute ("the Committee of Council on Education") for ("one of Her Majesty's Principal Secretaries of State").—(*The Marquess of Salisbury.*)

THE LORD CHANCELLOR said, that all that was done was to substitute the Home Secretary for the discharge of functions which, under the Endowed Schools Act, were assigned to the Education Department, in respect of proposals which were not educational in their character, and in which, therefore, the Education Department was not concerned. Already the Home Office exercised, as to Scotland, not merely a concurrent, but, in some respects, an overruling supervision, even in regard to matters that were educational; and in many local matters of another kind, such as were usually made the subject of Provisional Orders, it had machinery which enabled it to do exactly what was done by the Education Department with regard to educational charities. The action of the Home Office in such matters was well known and understood, and it would be less anomalous to charge the Home Office with this business than to devolve on the Education Department responsibility for charities that were not educational.

EARL CAIRNS said, that the majority of the schemes in question were connected with education; and, as far as he was acquainted with the Home Office, he could not help thinking it was unfitted to deal with them.

EARL SPENCER said, the Education Office might feel flattered by the way it had been referred to, and the confidence that had been expressed in it; but he did not relish the suggestion that it should deal with charities not connected with education. There might, perhaps, be some convenience in having educational schemes referred to the Education Department; but there many other charity schemes in no way connected with education, and he would rather not have them referred to the Education Department. While, however, he objected to the clause as altered by the proposed Amendment, he was perfectly willing to consent to such a modification of it as would provide that if the Home Office wished to divert or change any endowment, or part of an endowment, to educational purposes, the scheme, or part of a scheme relative to it, might be referred to the Education Department; but, with the large mass of business already on its hands, he should object to what was not germane to it being thrown upon the Department.

THE MARQUESS OF SALISBURY said, he could not agree to the suggestion of the noble Earl the President of the Council. They knew something of the Education Department, which, on the whole, had given satisfaction; but the Home Office, so far as it had meddled with this sort of business, had not been so successful.

On question, *resolved* in the *affirmative.*

Words *substituted* accordingly.

On the Motion of the LORD CHANCELLOR, the following Amendment made:—

In page 2, line 40, after ("either") add ("on such (if any) of the grounds of appeal mentioned in that Act as may be applicable to the case, or.")

On the Motion of Lord CLINTON, the insertion of the following Proviso in page 2, after line 36, was *agreed to*:—

"Provided that no scheme shall be approved or certified by the Board under this clause which deals with any property originally given to charitable uses less than fifty years before the date of the approval or certifying of the scheme, except upon the application of the trustees of the charity, or a majority of them, made in the manner prescribed by section four of the Charitable Trusts Act, 1860."

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 5 (Act of Parliament relating to charity to be alterable as provisions of founder).

On the Motion of The LORD CHANCELLOR, the following Amendments made:—In page 3, line 9, after ("any") add ("private"); line 14, after ("founder") insert ("in the case of a charity having a founder").

On the Motion of Earl CAIRNS, from the word "Provided" in line 15, to the word "Court" in line 20 was *struck out* of the clause.

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 6 (Modification in certain cases of objects of charity) *agreed to.*

Clause 7 (Recovery of money improperly expended out of charity).

Earl CAIRNS, in moving the omission of the clause, said, that there were not sufficient safeguards for the protection of trustees and others. It provided for the recovery of money improperly expended out of charitable funds; but it would make the Charity Commissioners both the prosecutors and the judges.

*Moved,* "To leave out the Clause."—(*The Earl Cairns.*)

The LORD CHANCELLOR said, that the power proposed to be given by this clause would, in all cases, be subject to an appeal to the Chancery Division. Without it, there would be no effectual audit of the accounts, now required by law to be rendered to the Charity Commissioners; and it would save the expense of litigation, in cases of clear and undisputed liability. It was only in cases in which a *primâ facie* case had been made out that the Board might make an order, and if it were found that there was any real ground for contesting the matter in a Court of Law no order could be made.

The Marquess of SALISBURY supported the Amendment.

On Question, *resolved* in the *affirmative.*

Clause 8 (Power of Court to remit to Charity Commissioners to frame scheme) *agreed to.*

Clause 9 (Power of Board to apply to Court respecting property of charity).

Earl CAIRNS said, that the Charity Commissioners had not got a staff of solicitors or counsel; but by the clause, for the first time, they were themselves to appear in court. He wanted to know whether the Attorney General was superseded? If the Charity Commissioners were to be heard, they would have to employ counsel, and then would arise the question of costs, as to which he wished to have some information. On the whole, he regarded the clause as unsafe, and he therefore moved its omission.

*Moved,* "To leave out the Clause."—(*The Earl Cairns.*)

The LORD CHANCELLOR said, that there were similar clauses to those which followed this in the Bill introduced in 1878, with which he believed his noble and learned Friend had been satisfied; and this clause was wanted, to enable the Commissioners to have access to the Court in cases, with the circumstances of which they were already well acquainted, and also for the security and proper management of charity funds which might happen to be in Court. He thought it desirable that in certain cases the Charity Commissioners should have power to apply to the Court for directions as to the management of property. The costs would be paid out of the funds only when the Court so ordered.

Earl CAIRNS repeated his belief that, as costs would be incurred in every case, the difficulty he anticipated would be certain to occur.

On question, *resolved* in the *affirmative.*

Clauses 10 to 12, inclusive, *agreed to.*

On the Motion of The Lord Chancellor, Clause 13 (Production of deeds), *struck out.*

Clauses 14 to 25, inclusive, *agreed to,* with Amendments.

On the Motion of The Lord Chancellor, the following new Clause *added,* to follow Clause 25:—

(Appointment of inspectors.)

"It shall be lawful for Her Majesty, by warrant under Her sign manual, to appoint such number of Assistant Charity Commissioners, permanent or temporary, as Her Majesty may think necessary for the purpose of enabling the Board to perform the duties for the time being imposed upon them under any Act of Parliament.

"The Assistant Commissioners appointed under this Act shall perform such duties as may be assigned to them by the Board with the sanction of the Commissioners of Her Majesty's Treasury, and shall be possessed of the same powers, authorities, and jurisdiction, and be entitled to the same privileges as the inspectors appointed under the Charitable Trusts Act, 1853.

"There shall be repealed the third section of the Charitable Trusts Act, 1855, and so much of the Charitable Trusts Act, 1853, as relates to the appointment of inspectors, and so much of section three of the Endowed Schools Act, 1874, as relates to the appointment of Assistant Commissioners, without prejudice nevertheless to any appointment made previously to the passing of this Act, in pursuance of the enactments so repealed, or any of such enactments."

Remaining clause *agreed to.*

Bill to be *printed,* as amended. (No. 96.)

House adjourned at a quarter before
Nine o'clock, to Friday next,
half past Ten o'clock.

# HOUSE OF COMMONS,

## *Tuesday,* *24th* *May,* 1881.

MINUTES.] — Select Committee — *Report* — House of Commons (Accommodation) [No. 248].

Public Bills—*Second Reading*—Local Government Provisional Orders (Birmingham, Tame, and Rea, &c.) * [160]; Local Government (Ireland) Provisional Orders (Ballymena, &c.) * [173]; Tramways Orders Confirmation (No. 1) * [167]; Tramways Orders Confirmation (No. 2) * [168]; Tramways Orders Confirmation (No. 3) * [169].

*Committee*—Local Government Provisional Orders (Askern, &c.) * [152], *discharged.*

*Report*—Gas Provisional Orders * [147].

*Withdrawn*—Church Patronage * [30].

The House met at Two of the clock.

## *QUESTIONS.*

### TRADE AND COMMERCE—REPORTS OF SECRETARIES OF LEGATION AND CONSULS.

Mr. R. H. PAGET asked the Under Secretary of State for Foreign Affairs, Whether he will be good enough to issue instructions to Her Majesty's Secretaries of Legation and Consuls to prepare their Trade Reports on the Manufactures, Commerce, &c. in the Countries in which they reside, in such a manner that the information afforded might be separately printed, and presented to Parliament under two distinct heads of Agriculture and Commerce, with a view of giving some practical effect to the recent acceptance by the First Lord of the Treasury of the principle of the establishment of a Department of State with separate divisions for Agriculture and Commerce?

Sir CHARLES W. DILKE: Sir, I personally see no objection to the hon. Member's proposal; and the Foreign Office are in communication with the Board of Trade as to the best mode of meeting his wishes.

### GAME ACT—DEALING IN GAME.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether it is the fact that on April 30th, at the Bala Petty Sessions, Catherine Owen, of the Lion Hotel, Bala, was fined £50 for having, on the 11th February, bought ten pheasants from Robert Davies, not being then a person entitled to deal in game according to the statute, it being admitted on the part of the prosecution that Catherine Owen could not, at the time of purchase, have been aware that the pheasants had been poached; and, if he will cause inquiry to be made into the circumstances which could justify a sentence of such apparent severity?

Sir WILLIAM HARCOURT: Sir, I have not got the entire facts of the case; but I think it is one very proper for inquiry. I have previously expressed my opinion as to the penal clauses of the Game Act—that they require to be entirely revised and altered, and none more than those clauses which relate to the sale of game. I have been looking into the Act, and, as far as I can make out, if a gentleman shoots pheasants on his own ground and sells them to his friend, the gentleman who has got the pheasants is liable to a penalty of £2 for every such pheasant in his possession; and if a gentleman likes to present pheasants to any person who does not want them for his own use, and who converts them into money by selling them, the person selling them is liable to a fine of £5 for every such pheasant. If a law of that kind is enforced in its rigour, I think everyone will see that the sooner it is altered the better.

### CUSTOMS DEPARTMENT—REDUNDANT OFFICERS.

Mr. HEALY asked the Secretary to the Treasury, Whether he is aware that the promotion of redundant clerks to the higher division in the warehousing departments in the Customs has been suspended by the Board of Customs;

whether the action of the Board has been taken in accordance with any directions given by the Treasury; and, if so, whether he will be good enough to state the grounds on which the redundant clerks have been deprived of their promotion?

LORD FREDERICK CAVENDISH: Sir, measures are in contemplation for improving and simplifying the bonding and warehousing system in the Revenue Departments; and, in view of economies which it is hoped may be effected, the Board of Customs have suspended the filling up of vacancies in the upper division of clerks in the warehousing departments. This was done by the Board on their own responsibility; but the Treasury entirely approve the course pursued. I must remind the House that the selection of redundant clerks for the upper division is absolutely according to merit, and not of seniority; nor are vacancies necessarily filled up from the redundants in the Department in which they occur.

## NATURAL HISTORY MUSEUM, SOUTH KENSINGTON.

MR. FIRTH asked the senior Member for the University of Cambridge, Why the Trustees of the South Kensington Natural History Museum have withdrawn their announcement that such Museum would be open from May to the middle of July on Mondays and Saturdays till 8 p.m., and from the middle of July till the end of August, on the same days, till 7 p.m.; and, whether they are prepared to restore to the public the facilities of evening attendance which were originally given?

MR. SPENCER WALPOLE, in reply, said, that the Trustees had every disposition to give the public the full benefit of the Natural History Collection at South Kensington as far they could; but the arrangements for the Collection were still so imperfect, and the staff of assistants and attendants necessary for its superintendence was still so scanty, that he was afraid they could not open it till a later hour than they did at present. But as soon as they were able the Trustees would re-consider that matter, and, in the meantime, they would take care that the public should have such facilities for attendance as the circumstances would permit.

## STATE OF IRELAND—"SLAVE DRIVING" IN GALWAY.

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware, in reference to a letter published in the "Newcastle Chronicle," on "duty work," accompanied by physical punishment, that such labour was exacted in Barna and the neighbourhood from time immemorial until the establishment of the Land League in the district last year; whether he is aware that up to a recent period the tenants on some of these estates were obliged to give fifty-two days' labour in each year, at the rate of sixpence for one half, and eightpence for the other half of the year; whether the tenants thus employed were superintended by a "driver" armed with a blackthorn stick, and occasionally struck, many of the persons thus punished being still to be found in the village of Barna; and, whether he will accept the proposal of Mr. Patterson to have his contradiction and Mr. Patterson's assertion of these facts testified by an investigation on the spot?

MR. W. E. FORSTER: Sir, I have already answered one or two Questions on this subject. With regard to the first part of the Question, I have stated on information forwarded to me that the account was apparently without foundation, and certainly I am not aware that "duty work," accompanied by physical punishment, was exacted up to last year. The question is not as to what happens now, but as to what happened at some previous periods. It is not the business of the Government to investigate into what has happened in former times. It is our business to make the most strict investigation, if we had reason to believe or suspect that the state of things represented was going on now; and, if so, upon receipt of anything approaching reasonable information, we will take care that the most strict inquiry is made, and a prosecution instituted against anybody who offends. But we have sufficient to do with the state of Ireland as it is without attempting to find out what may have been the state of things in former times. In making this statement, I am not to be supposed as admitting the truth of what is alleged to have happened lately.

MR. T. P. O'CONNOR: Sir, I will read a letter which I have received in reference to this Question. The right hon. Gentleman has frequently given contradictions to the fact, and his contradictions were distinct that "duty work" of this kind, accompanied by physical punishment, never took place.

MR. W. E. FORSTER: I never said so.

MR. T. P. O'CONNOR: Oh, but you did. ["Order!"]

MR. SPEAKER: The hon. Member is entitled to put a Question to the right hon. Gentleman bearing upon the Question which he has already asked; but he cannot enter into a debate.

MR. T. P. O'CONNOR: I will not enter into a debate with the right hon. Gentleman. I wish to state that I do not at all want to cast any slur on the veracity of the right hon. Gentleman; but I would ask him, whether it is true that, a short time ago, a man named John Molloy was employed as a "driver" on one of the estates outside Galway; whether there lives still in Galway persons who have been subjected to physical punishment by this John Molloy; and, whether in view of that case, he will withdraw the slur he has cast on the veracity of Mr. Patterson, my correspondent?

MR. W. E. FORSTER: The hon. Member must give Notice of that Question. All I can say is, that I inquired into these allegations, and the answer I received led me to believe that there was no truth in them. I cannot undertake to find out what has happened in previous times. I do not believe that at any recent period such a thing as physical punishment of the kind described has happened; but I certainly never stated—I could not think of stating—that it never happened in past times.

MR. T. P. O'CONNOR: I am sorry, Mr. Speaker, that I must be a little persistent in this matter. I will not move the adjournment of the House unless I am forced to it. The right hon. Gentleman states his belief that these things never took place; but, as a matter of fact, they have taken place, and the right hon. Gentleman, when he comes into such direct conflict with facts, should have the matter settled by an impartial investigation.

## ITALY—OCCUPATION OF TRIPOLI.

MR. ARTHUR ARNOLD who had the following Notice on the Paper:—To ask the Under Secretary of State for Foreign Affairs, Whether there has been any correspondence between Her Majesty's Government and the Italian Government with regard to Tripoli; and, if so, whether that correspondence bears upon the alleged communications by Lord Salisbury with reference to the occupation of Tripoli by Italian forces as compensation for the entry of France upon Tunis? said, he wished to alter the second part of the Question, and to ask, If there was any record in the Foreign Office of those alleged communications by Lord Salisbury in reference to the occupation of Tripoli?

SIR CHARLES W. DILKE: Sir, I will answer the Question as placed on the Paper; but I must ask my hon. Friend not to ask Questions of which no Notice has been given.

MR. ARTHUR ARNOLD: I shall be happy to defer it.

SIR CHARLES W. DILKE: I will answer it. No correspondence has taken place between Her Majesty's Government and that of Italy with regard to Tripoli.

MR. ARTHUR ARNOLD gave Notice that on Thursday he would ask a Question with respect to the designs of Italy upon Tripoli.

## FRANCE—AFFAIRS OF TUNIS.

THE EARL OF BECTIVE asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government is aware that Lardi Zarruck, President of the Tunis Municipal Council, a gentleman well known to European residents for his integrity and administrative ability, has been driven into exile by the action of M. Roustan, because he advised the Bey not to sign the Treaty forced upon him by the French Government; if Her Majesty's Government is aware that M. Roustan is virtually for the present dictator of the Regency of Tunis, and has demanded the incarceration of seventeen Tunisians connected with the administration of the Regency; and, if, in consideration of the anomalous and humiliating position in which Her Majesty's Agent and Consul General, and the political Agents of other Powers are placed by the present confusion and action of M. Roustan, Her Majesty's Government will take steps pending their acknowledgment, or otherwise, of the Treaty imposed upon the Bey to come to some arrangement with the French Government and the Tunisian Government by which our diplomatic relations may be carried on in a manner more in accordance with the usages of European nations? He wished further to ask, whether among the 17 gentlemen who had been threatened with imprisonment in Tunis one is a British subject? For obvious reasons he did not wish to mention the gentleman's name.

MR. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government is aware that Monsieur Roustan, in his new capacity of French Minister Resident in Tunis, has demanded of the Bey the arrest and punishment of seventeen high Tunisian officials, alleged to be unfavourable to France, among which is the Sheikh el Islam, or Chief Mufti, who is the supreme civil authority in the Regency, and under whose authority the right of pre-emption was originally exercised in the Enfida Estate case, by Mr. Levy, a British subject?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have no official information on these points beyond having been informed by Mr. Reade that the President of the Municipality had taken refuge in the Consulate, in order, presumably, to avoid arrest by Tunisian officials. He left the Consulate after an amicable arrangement had been arrived at. In regard to the supposed arrest of a British subject, we have certainly heard nothing; and I am convinced that if Mr. Reade had reason to suppose any British subject had been arrested he would have informed us of the fact.

THE EARL OF BECTIVE asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government has received any intelligence that the German Government has offered to mediate between the Ottoman Porte and the French Government in the Tunis Question; and, if Her Majesty's Government will guard its interest in maintaining the Berlin Treaty by associating itself with the German Government in such mediation?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have received no information to this effect, and have every reason to think the statement untrue.

THE EARL OF BECTIVE asked if the statements in the Press had been seen by the Government?

SIR CHARLES W. DILKE, in reply, said, the Government had seen the statement in the Press, and they were convinced that if it was true they must have known of it.

MR. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether, notwithstanding that Mons. Jules Ferry had publicly declared in the French Chamber that the French expedition to Tunis had nothing whatever to do with the Enfida case, as reported by Lord Lyons to Lord Granville in his despatch received on 13th February 1881, Mons. St. Hilaire, in his Circular addressed to the French Representatives abroad, distinctly states that one of the motives assumed by France against Tunis was, "The attempt to snatch by illegal means the Enfida Estate from an honest and industrious Marseilles Company?"

SIR CHARLES W. DILKE: Sir, my hon. Friend is correct in his statements, and Lord Granville drew attention in his Note to M. Challemel-Lacour of the 20th instant (Tunis, No. 3, page 10), to the inconsistencies in the explanations given at Paris as to the reasons for French intervention in Tunis.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARRESTS UNDER THE ACT.

MR. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that the police authorities in Ireland informed him, before the Protection of Person and Property (Ireland) Bill had passed this House, that they would, on its becoming law, be in a position at once to arrest a hundred persons against whom they could bring an amount of evidence sufficient to secure their conviction at the hands of an ordinary English jury; and, whether, since that they have not proved themselves unable to redeem their promise?

MR. W. E. FORSTER: It appears to me, Sir, that the hon. Member, in putting this Question, was misled by his own imagination or by some mistaken rumour. I must decline to give him any information as to confidential communications received by me from the police authorities.

MR. ARTHUR O'CONNOR: With reference to the answer just given by the right hon. Gentleman, Sir, I may be allowed to explain that I did not draw on my own imagination; and that I would not place the Question on the Paper, but that I derived my information from a source which I believe to be thoroughly reliable.

## SUGAR INDUSTRIES COMMITTEE, 1880—THE REPORT.

MR. MACLIVER asked the Financial Secretary to the Treasury, When the Report of the Sugar Industries Committee of 1880 will be presented to Parliament?

LORD FREDERICK CAVENDISH: Sir, the Reports of the Sugar Industries Committees of both Sessions of 1880 have been already presented to Parliament. The Sessional numbers of the Papers are 106 and 332.

## THE NATIONAL DEBT—INTEREST ON CONSOLS.

MR. DICKSON (for Mr. WHITWORTH) asked the First Lord of the Treasury, Whether, owing to the long continued cheapness of money in this Country he should determine upon the reduction of the Interest on Consols, could the holders demand more than par for the portion to be paid off?

MR. GLADSTONE: I do not like, Sir, to answer this Question in a manner that would give any reason to suppose that there is any immediate prospect of a reduction of the interest on Consols. I may say that an opportunity will be afforded, when the Resolution comes on with respect to the conversion of Stock into Annuities, to make any needful remarks on the subject. I may, perhaps, take this opportunity of mentioning to the House that we have recently got into a state of things in the Money Market in which, just as the 3 per Cent Metropolitan Stocks have come to bear a far better price relatively than the 3½, so the 2½ Public Stocks have come to bear a better price relatively than the 3 per Cent. Under those circumstances, we have been making some sales of 2½ per Cent Stock to the public, which have been advantageous to the Public Debt Commissioners. With respect to the immediate Question, as to the power of the holders to demand more than par, there is no doubt that due notice must be given before any operations of the kind can take place. The obligation of the State to the public is strictly limited to one of two things—either to pay a perpetual annuity of £3, or, in deviating from that course, to pay a sum of £100.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARREST OF MR. BRENNAN.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Thomas Brennan, secretary to the Irish National Land League, arrested yesterday, has been imprisoned in the gaol of Naas; whether his medical attendant, Dr. J. E. Kenny, of Dublin, has made a protest against the selection of Naas gaol as a place of confinement for Mr. Brennan; and, whether the Government will order the removal of Mr. Brennan from Naas to Kilmainham, where he can receive from his own medical adviser the care which that gentleman considers essential for the preservation of his health?

MR. W. E. FORSTER: Sir, I must answer the first part of the Question in the affirmative. With respect to the second, I am not aware of such a protest having been made. With respect to the last, I may say that we should, of course, consider any grounds of application made to us for the purpose, if we believed that any particular gaol was unhealthy, and direct a strict investigation for that purpose. We do not admit, however, that prisoners should be at liberty to choose their place of confinement in order that they may be near any particular doctor.

LORD RANDOLPH CHURCHILL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the chaplain of Naas gaol is the president of the local branch of the Land League; and, whether the knowledge of that fact influenced the Government in selecting that particular prison for the detention of prisoners under the Coercion Act?

MR. W. E. FORSTER: I am not aware of the fact stated by the noble Lord; and I think no one will imagine that the gaol in question would be selected for such a reason but the noble Lord.

## STATE OF IRELAND—ARMED RESISTANCE, CO. LIMERICK.

VISCOUNT GALWAY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the accounts in both English and Irish newspapers are correct as to the armed opposition to the Civil and Military Forces of the Crown in the execution of legal decrees at New Pallas, in the county of Limerick; and, if so, whether he will inform the House what steps Her Majesty's Government have taken to assert the supremacy of the Law; and, whether it is his intention to permit the present open defiance of authority to continue, without taking more stringent measures for its suppression?

MR. W. E. FORSTER: Sir, with regard to the Question, I may say I believe there has been a great deal of exaggeration in the accounts which have been given in the papers of the state of the County Limerick, although the state of things in the part of Limerick referred to in the Question is, no doubt, serious. As regards the steps which are being taken, perhaps the noble Lord will be good enough to wait until the discussion takes place this evening, when I shall have a statement to make on this and one or two other matters. As regards the attack on the castle, I am informed by telegram there are no persons assembled in it now for any illegal purpose, nor have there been since Saturday.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—ARREST OF MR. DILLON, FATHER SHEEHY, AND OTHERS.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the alleged offences of which the senior Member for Tipperary, Father Sheehy, Mr. Brennan, and others are reasonably suspected are or are not to be included in the Returns of agrarian or other crime periodically presented to this House?

MR. W. E. FORSTER, in reply, said, that the offence for which the persons referred to were arrested, as stated in the warrants, was inciting to outrage.

## PARLIAMENT—BUSINESS OF THE HOUSE.

SIR STAFFORD NORTHCOTE asked, with regard to the Business on Thursday, Whether the Customs and Inland Revenue Bill would be taken first?

MR. GLADSTONE, in reply, said, that the Customs and Inland Revenue Bill would be taken on Thursday as the first Order. During the debates in Committee on the Irish Land Bill, Morning Sittings would be held, beginning on Friday, if the Order was reached on Thurday.

SIR STAFFORD NORTHCOTE: Before the Speaker is in the Chair?

MR. GLADSTONE: Yes.

## CYPRUS—THE HARBOUR OF FAMAGUSTA—PURCHASE OF THE ISLAND.

SIR WILLIAM PALLISER asked the First Lord of the Treasury, Whether, in view of the recent events in the Mediterranean, and of the great distance between Malta and the Suez Canal, he will take into his consideration the desirability of improving and protecting the harbour of Famagusta, so as to convert it into a first class naval station; whether, in view of the growing importance of the Island of Cyprus, and of its steadily increasing revenue, and of the fact that it is desirable that the island should be administered in the interest of its inhabitants rather than in the interest of a foreign State, he will consider the question of purchasing the freehold of the island in the event of the Porte being willing to part with it upon favourable terms?

MR. GLADSTONE: Sir, the substance of my answer will be, that although I am not quite certain as to the fact and as to the time—the hon. Member speaks of the steadily increasing Revenues of Cyprus—I am afraid the time is near at hand when it will be our duty to apply to the British Exchequer for a Vote of money to meet the deficiencies in the Revenue of the Island of Cyprus. It would be vastly better that the discussion on the general question should be postponed, especially as the hon. Gentleman will see that the question is of very great importance. The question of creating a harbour and arsenal at Famagusta is a very important one, politically and financially, and the conversion of the present peculiar occupation and administration of Cyprus into a Sovereignty is also an important one in many views, and, amongst others, in its bearing on the Law of Europe. If Her Majesty's Government have any proposition to make it will be their duty to make substantive propositions, and not by way of answers to inquiries.

Mr. BOURKE: Perhaps the right hon. Gentleman will tell the House, Whether any Papers in reference to Cyprus will be presented this Session? If we are to vote any money, we should know the exact position in which Cyprus stands at present.

Mr. GLADSTONE: I have not ascertained from the Colonial Office; but I shall make inquiry.

## DEATH OF THE RIGHT HON. WILLIAM PATRICK ADAM.

Mr. ONSLOW asked, Whether the Government had received any telegram that morning confirming the sad news, contained in a Central News telegram, regarding the death of the right hon. Gentleman the Governor of Madras? Mr. Adam was a Gentleman well known in the House, and was as much respected on the Conservative side as on the other. He (Mr. Onslow) had the best means of knowing that Mr. Adam was equally popular in Madras, and was administering the Presidency with much credit to himself and benefit to the country.

Mr. GLADSTONE: Sir, I am sorry to say that we have received this morning a telegram which confirms the news prematurely communicated to the House in the course of last evening. I cannot announce that fact to the House without thanking the hon. Member for Guildford (Mr. Onslow) for the exceeding good taste and feeling of the remarks he has made, and likewise acknowledging the perfect justice of the eulogy in every particular which he has passed on my right hon. Friend. No person, I think, was ever engaged in difficult times in the performance of difficult duties in this House who more completely succeeded in winning, or who better deserved, the esteem, of which we have now had from the hon. Member so gratifying a testimony.

Sir STAFFORD NORTHCOTE: Sir, after what has been said, I wish to add only a single word to what has fallen from my hon. Friend the Member for Guildford (Mr. Onslow), who so thoroughly expressed the feeling which I know animates the whole of the House. I join in the extreme feeling of regret felt at the loss of one so highly respected and so very much beloved.

## *ORDER OF THE DAY.*

## IRISH EXECUTIVE.

### MOTION OF CENSURE.

### ADJOURNED DEBATE. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Question [23rd May],

> "That, in the opinion of this House, the action of the Irish Executive in arbitrarily arresting a Member of the House without reasonable ground; in proclaiming a state of siege in Dublin; in imprisoning the Rev. Mr. Sheehy and many other men of high character and good conduct; and in affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions is an abuse of the exceptional powers conferred by Parliament; and is calculated to promote disaffection in Ireland."—(*Mr. Justin M'Carthy.*)

Question again proposed.

Debate *resumed.*

Mr. O'DONNELL said, he felt bound to express his deep regret and that of the whole Irish Party that, owing to circumstances which might have been prevented by the Government, the admirable speech of his hon. Friend the Member for Longford (Mr. Justin M'Carthy) had been delivered in circumstances which rendered it impossible that it could be read and appreciated by the country at large. He (Mr. O'Donnell) certainly thought that, when after weeks of solicitation from Irish Members, forced out of a sense of common justice by Members of the House not belonging to the Irish Party, the Government at length accepted the challenge of the Irish Party, it was incumbent upon them to allow the Mover of the Resolution to bring his Motion forward at a time which permitted of its being properly laid before the country. He trusted that no political Party, if it had to face similar circumstances in Ireland, would follow the precedent of the present Government. Rarely had so important a statement as that of his hon. Friend been made in such unfavourable circumstances, and never had a statement of a similar character been characterized by such moderation and calmness; and, in supporting the Motion of his hon. Friend, he (Mr. O'Donnell) should also endeavour to treat it with as much moderation of language and as much calmness in every respect as could be fairly expected from an Irish Member who had to raise his voice against—he had almost said outrages—against misconduct as grave as that of which Her Majesty's Government had been guilty in Ireland. The Motion specifically impeached the conduct of the Government. They were impeached for their ungenerous, unmanly, unconstitutional arrest of the senior Member for Tipperary (Mr. Dillon), while on his way to plead the cause of his constituents in Parliament; and on a pretext which, in the face of long indulgence, which for purposes of their own they had extended to him, certainly seemed to constitute an act of unfairness of the very gravest description. Their conduct was also impeached on account of the arrest of a most respected Catholic clergyman, patriotic, indeed, and bound to the interests of his flock as Catholic clergymen have been for generations—a clergyman who, to his honour be it said, had expressed in feeling language the wrongs of his people, and whose sole desire was to bring about a removal of the evils they endured by a combination within the limits of legal agitation. The removal of leaders such as Father Sheehy and others by the Government must lead to deplorable results, and would lead the wretched peasants to the direction of leaders of a very different description. The Government, again, were impeached for the misuse they had made of the extraordinary measures intrusted to them. They had originally declared their purpose was to use the Coercion Law against the perpetrators of outrages; but, at the onset, they had used it against the chosen leaders of the Irish people, men of acknowledged worth, respectability, and moderation; and finally the Government, and the Chief Secretary for Ireland in particular, were impeached as being the authors of a Circular worthy of the worst days of a Mouravieff in Poland, a Circular which was an outrage and a disgrace to the English name, and which cast a most unmerited stigma on the great body of the Royal Irish Constabulary, which it had been the object of every former Government to hold up to praise and honour in the House—and all this because the Chief Secretary for Ireland had grown sensitive under the reproaches repeatedly addressed to him for the blunders of his Administration. He therefore took the poor resource to bully his subordinates into a course that looked very much like a direction towards the preparation of unreliable evidence. He (Mr. O'Donnell) did not desire to treat this as a Party question, for he freely acknowledged the good-will existing towards Ireland among the Liberal Party, and their earnest desire to introduce a fundamental amelioration of the land system of Ireland; and in their hearts the English and Irish Conservative Party must feel themselves deeply interested in the remedy of Irish grievances and the introduction of real reforms. Nothing could be more suicidal than that the territorial Party should offer a blind resistance to the claims of the Irish tenantry, for if such a course was followed the territorial Party would reap the bitterest consequences in the near future. The phrase under which the Government covered their attacks on individual liberty in Ireland, and under which they attempted to justify their arbitrary arrests, was "the necessity of restraining incitements to violations of the law;" and taking the Irish land system in all its quibbles and technicalities, he would admit that the Irish tenantry, and those who supported their claims, were not acting in a strictly legal sense in resisting the evicting law of Ireland. If the Government would come forward and say that, technically speaking, a group of landed proprietors possessed a perfect legal right to clear the soil of Ireland of its inhabitants, there could be no defence to such an exposition of the law. But as the land system in Ireland had been condemned by none more severely than by the right hon. Gentlemen sitting on the Treasury Bench, and as it was their avowed object to put an end to the evils of the existing system, the Government, he (Mr. O'Donnell) held, were debarred by their own action from laying a weighty stress upon the violations of the law which they alleged were committed by the leaders of the Irish peasantry. He was there to boast that it was the object of the central and local leaders of the tenant Party in the Land League to bring about, pending the passing of a remedial measure, such a reduction of rents in Ireland as would enable the people to hold on till the advent of that blessed time which the Government bade them expect. Technically speaking, it might be illegal for the Irish tenants to combine for the purpose of obtaining a reduction in rents. Seen, however, from any other point of view than that of strict, unbending law, the right of the tenants to combine against the exaction of excessive rents could not be gainsaid. Assuming that Mr. Dillon, Father Sheehy, and other most respectable men who had been swept into the Bastilles of the right hon. Gentleman the Member for Bradford had declared that the Irish tenantry, after so many years of distress and excessive rents, were entitled to demand that rents should be lowered to the extent of 20, 30, 40, and on some estates of 50 per cent—assuming all that, what, he would ask, had been the action of the tenants of England and of the landlords of England? Was it not a fact that the landlords throughout the length and breadth of England were granting to their tenantry a greater reduction than was demanded from the rack-renting landlords of Ireland by the leaders of a miserable and starving peasantry? In order to bear out what he had said, he would refer hon. Members to the investigations of Mr. Sturge, of Birmingham, to show what great reductions had recently been made in rents in Lincolnshire, Leicestershire, Shropshire, Bedfordshire, Hertfordshire, Essex, Somersetshire, Wiltshire, and other counties. If the Irish Leaders who asked for reductions varying from 25 to 75 per cent had uttered strong words in the heat of their indignation, it should be remembered that they were inflamed by the recollection of generations of misery, starvation, and neglected appeals. Their action might be due to this cause—that they knew by experience that, unless they should succeed in vividly arresting the attention of the right hon. Gentleman the Chancellor of the Exchequer, the probability was that he would fail to perceive that the remedy of Irish grievances could come within the range of practical politics. When an agricultural crisis confronted the landlords of England, they did not come snivelling to that House to ask for coercion; and he would ask the Constitutional and agricultural Party of England in that House, why should they hand to the Irish landowners in this severe strain of the Irish nation Bills for coercion and rack-renting, which, to their honour be it said, they would scorn and thrust from themselves? He was content to ask English landlords to treat the Irish tenantry as they were ready to treat their own tenantry; but he protested against their treating the Irish tenantry worse than they treated the comparatively prosperous tenantry of England, and he protested against a Liberal Ministry, which advertised to the four quarters of the world its burning sympathy with the oppressed, inflicting on Ireland a land system 50 times worse than existed in England. There would be little or no cause for a land agitation and organization in Ireland if the Irish landowners would come forward with reductions of 20, 50, and 60, and 70 per cent, as was done by the same class in England. The thing being rightly considered, the landowners and the cultivators of the soil were in the same boat, and it was only because of the stolid and stupid policy which forced the landlord to be the enemy of himself and of the tenant, that the Government, professing a special zeal for Ireland, declined to bring forward a single measure to bridge over the interval which must elapse before their remedial measures could be expected to bear any fruit. That was the only way in which the slightest excuse could be urged for them; and in consequence of it the Irish tenantry had to form their organization and combination; but he denied that the sad necessity to which they were reduced gave colour to the misapprehension of the law which had been perpetuated month after month by the most fair-seeming Chief Secretary for Ireland that ever sat on the Treasury Bench. But the right hon. Gentleman, who would, no doubt, speak in the course of the debate, would, he (Mr. O'Donnell) would venture to predict, no doubt exhibit all those quiverings of indignation with which the House was so familiar, and would endeavour to get behind his subornation of evidence Circular by drawing attention to the monstrous proceedings of a starving tenantry who were guilty of the crime of asking for a reduction of their rack-rent to the amount of 50, 60, or 70 per cent. The right hon. Gentleman, no doubt, imagined that he would be licensed by the House to imitate the practices of Russia, because of his own negligence or inability to perceive the real force and weight of the crisis in Ireland. He (Mr. O'Donnell) was not the man to deny that a certain amount of suffering had fallen on the members of the landlord class in Ireland; but, to a very large extent, it was the action of the landowning class in Ireland that had accelerated and accentuated the crisis from which the landlords were now suffering in that country. But the sufferings of the Irish landowners were in no way peculiar. The landlords of England were being deprived of their revenue—they were having their incomes cut down to the most modest proportions, in consequence of what had been admitted as the real inability of their tenants to pay their rents; but the right hon. Gentleman the Member for Bradford would attribute the reduction in the incomes of the Irish landlords to the feigned inability of the poor Irish tenants to pay their rents. ["Hear, hear!"] But if English tenants were unable to pay, surely, *à fortiori*, Irish tenants were unable to pay; and it was admitted on both sides of the House that owing to circumstances in Ireland the inability of the tenant to pay was greater than was the case in England. Were they to have nothing but this Coercion Bill, for which an English landlord never would have asked to enable him to deal with his tenants, for the wretched Irish tenants, and was it to be rendered still more objectionable by the manner in which it was applied? Would no one point out to the Government that the true solution of the difficulty was by way of conciliation? Would a soldiery evicting the people by the sabre, and at the point of the bayonet, and terrorizing them by their guns, prove a remedy? Could such a policy sow anything but the seeds of abiding discontent and disturbance? Notwithstanding the prejudice which had prevented the English agricultural Party from looking at the Irish agricultural situation as they would look upon their own, that Party had suggested as a help to reform in Ireland that large and bounteous measures should be given to Irish industries, and that something should be done to relieve the existing misery pending a reform of the agricultural system. He (Mr. O'Donnell) was not going to say how far that would go to remedy the existing state of things; but it would, at all events, bridge the present distress. If the Government did not wish to treat the question as a Party one, let them get rid of that jealousy of the Land League, which had done so much without them. It would then be easy for the Government to tide over the present crisis, and instead of having the interval between the old bad system and the promised good system filled up with an increase of misery and wretchedness, the crisis would be passed over in a manner that would commend itself to the universal approbation of the people of the Three Kingdoms. But the Government had done nothing, nor tried to do anything. Though apparently impotent for the purposes of good, they had the power of doing immense evil; but what, he would ask, would be the policy of a wise Government in dealing with the Irish tenant, who, it might be assumed, had been reduced to a state of unavoidable and innocent bankruptcy? A wise Government would propose a composition. Why should there not be some offer of a loan on the security of the tenant right—something that would give breathing time to the harassed tenant and the straitened owner, and put a stop to the state of war now existing? It was, he freely owned, both the object of such men as Mr. Dillon and Father Sheehy and others, both lay and clerical in Ireland, to obtain for the tenant such a reduction of rent as would enable him to live. If the Irish landowners had treated their tenants with the same generosity as English landlords, and given their tenants reductions of 30 or 40 per cent, the Land League would not have been under the necessity of making the demands it had made. If, because the senior Member for Tipperary (Mr. Dillon) was driven to organize the people in the absence of any measure to bridge over the interval against bad landlords and to organize them to resist excessive rents, and to stand by one another in a demand for large reductions proportionate to the necessity of the crisis, and to fix upon those who were endeavouring to perpetuate misery and disunion in the popular ranks the stigma of moral excommunication, was such a man to be torn from his Constitutional duties in that House, or, as in the case of Father Sheehy, from exercising his sacred functions as protector and guide of his flock? The Prime Minister could forget his habitual courtesy when Irish Members told him that, at the moment of his arrest, Mr. Dillon was on his way to that House to lay before it the enormous mass of evidence he had collected as to the condition of the Irish peasantry and the insufficiency of the Government Land Bill. It was well known in Ireland that such was Mr. Dillon's intention, and nothing could clear the Government from the "most reasonable suspicion," that they arrested Mr. Dillon because he was a powerful adversary of their policy within the walls of Parliament, and not because he was a bitter denunciator of their shortcomings on the hillsides of Tipperary. There was nothing which Mr. Dillon had said or done for days immediately previous to his arrest which he had not said or done weeks and weeks before. At the very commencement of the operation of the Coercion Act, he challenged the Government to bring him to every kind of trial for recommending "Boycotting" to the Irish peasantry; but day was added to day and week was added to week, and Mr. Dillon was allowed to continue his way throughout Ireland so long as he was creating what the Government called an incendiary spirit in Ireland—so long as he indirectly contributed to that panic which the Government hoped would induce the House of Commons to swallow any kind of Land Bill whatever; so long as he played the tactical game of the Government, he was not molested; there was free course for all the incendiary doctrines he could disseminate. But no sooner was it discovered that he was on his way to that House, with all the prestige of his position as a darling leader of the Irish peasantry, to denounce the shortcomings of the Land Bill, than all of a sudden it occurred to the ingenuous mind of the Chief Secretary for Ireland that the hon. Member was an incendiary agent whom it was dangerous to leave at large, and that it was necessary to keep him from further contaminating the minds of the Irish peasantry, and he, therefore, had him confined in Kilmainham Gaol. It might serve the purpose of the Government to put the right hon. Gentleman in the forefront of the battle, and count upon his appearance of respectability, and the appearance of respectability went a long way with the British mind—his venerable aspect as the Parliamentary Aristides—to induce the House to believe that there was no sinister motive behind the arrest of Mr. Dillon, and thus suddenly terminating his career. But the Irish Members, at least, knew at what to estimate the ingenuousness of the right hon. Gentleman. Not for whole the world would he do anything of which he could be ashamed; not for all the world would he whisper a counsel that he would blush to acknowledge in the face of day; not for all the world would he beg his subordinates to do a thing and keep it dark. No; the right hon. Gentleman they knew was incapable of subterfuge; and doubtless the House would believe him with undoubting, childlike faith—he (Mr. O'Donnell) would not say credulity—when he declared that nothing but consideration for the safety of Ireland, and not of the fate of the Government over the Land Bill, inspired his summary and extraordinary arrest of the most dangerous opponent of the land legislation of the Government. As for Father Sheehy, he had denounced the wrongdoing of the Irish landlords in about the same terms as Archbishop Croke. But Father Sheehy was a Roman Catholic curate; and the right hon. Gentleman, in his ignorance of Irish sentiment, imagined, doubtless, that it was safer to lay hands on a curate than on an Archbishop. The cowardly act, as it turned out, however, was not safe, for the arrest of Father Sheehy had produced a more widespread feeling against the Government than would have been caused had they had the courage to lay hands on the venerated Archbishop of Cashel. Father Sheehy, no doubt, used strong language. But was he not an eye-witness of the black work of eviction going on in his district, were not the estates of Coote and Townsend in his neighbourhood, and did not all the best feelings of his nature prompt him to utter burning words against the tyrants who were making Ireland an opprobrium to England—aye, and a danger to the British Empire? The Government imagined they were safe in casting these men into Kilmainham; but they were, as it were, only ripples on the shore of the ocean of revolution which the Government had to face in Ireland, but it would burst in thunderous surges thousands of miles from their shores. And not only did they impeach the Government for the arrest of Mr. Dillon and Father Sheehy, but they maintained that the general character of the arrests was a breach of the covenant which the Government made with the

House when they asked for powers to imprison "dissolute ruffians" and "midnight marauders," the men arrested being, for the most part, leaders of a Constitutional agitation. A respectable shopkeeper in a district in Donegal, who was president of the local Land League, for exerting his influence to procure a satisfactory arrangement for 80 tenants whom their landlord had threatened to evict, was denounced by a sub-inspector and thrown into gaol. It appeared from the statement of the Mansion House Committee that, in the district in question, on the 1st of March last year, there were 2,550 persons in distress, and yet the landlord referred to proposed to throw 80 additional families on the world. In another part of Donegal, on the 1st of March last year, there were 900 individuals in the receipt of relief. They actually subsisted upon 7 lb. of Indian meal for a week. Yet these were the districts in which landlords had carried out their heartless policy of eviction. If a district in England came within a measurable distance of such misery, was there an English landlord who would carry out eviction in such a region? Yet the English Liberal Party lectured farmers on their indifference to the tenantry. The Liberal Government carried out coercion in Ireland in order to aid the eviction of tenants a thousand times more wretched than tenants to be found in any district in England. He now came to the consideration of the remarkable Circular issued by the right hon. Gentleman to the Irish Constabulary. Since Her Majesty's Government had gone the length of opening private letters, might they not go the length of stopping the transmission of publications in which the Circular of the right hon. Gentleman the Member for Bradford appeared? If they were not ashamed to do that act at home, let them, at least, be ashamed to allow Europe to know the intense hypocrisy of liberating Liberalism. The Inspector General of the Irish Constabulary issued the Circular to all his subordinates on the 7th of the present month. The right hon. Gentleman began by recommending that that document

> "Was not to leave the hands of the county inspector to whom it was addressed, and must be kept under lock and key,"

adding that—

> "Any orders given to insure the instructions in it being carried out must be communicated verbally."

He (Mr. O'Donnell) presumed that that was Latin for a whisper; when practicable, the sub-inspectors, head and other constables, would be trusted to do that class of work, and it was to be communicated as emanating from the county inspectors themselves. The pure hand of the right hon. Member for Bradford must not be seen in that dirty proceeding; therefore, he seemed to have introduced into Irish administration the character recently prominent in connection with bribery at elections—"the Man in the Moon," and, perhaps, in addition to all his other titles he would condescend to accept that new one. What, it might fairly be asked, would have been the action of the Government if that Circular had not almost miraculously come to the knowledge of the House through hon. Members from Ireland? Some Irish Member, seeing something inexplicable in these arrests, might have got up and asked the First Lord of the Treasury what was the reason for that sudden increase of arrests—that sudden conflagration of reasonable suspicion in Ireland? Would the Prime Minister have answered that it was because the local authorities, acting on their own judgment, had seen the necessity of those arrests, and would he have repudiated the insinuation that Her Majesty's Government had instigated and stimulated the action of the police and their spies in Ireland? Would he not have reminded the House that the Government had pledged themselves that, so far from stimulating those arrests, they would carefully supervise the reports of the local informers and spies, and exercise a restraining and purifying control? It was on the faith of declarations that in case of necessity they would stand between the Irish people and their local denouncers that the Government got the Coercion Act passed. Would the Chief Secretary for Ireland have sat still and allowed his Leader unconsciously to palm off such a deception as that upon the House? Or would the Chief Secretary for Ireland have nudged the Prime Minister and whispered to him—"Say it was all the work of the local agents. I told them to do it; but that must not be let out?" He could not think that those two Ministers would have been guilty of playing an ignoble comedy of that kind. And yet what was to be the interpretation put upon a vile Circular of that description? The Chief Secretary for Ireland proceeded to authorize his Inspector General to say that he deemed it

> "Absolutely necessary to convey to the county inspectors his disappointment that the police had been unable, in the majority of instances, either to give ground of reasonable suspicion as to who were the perpetrators of outrages, or as to those who instigated them and used inflammatory language."

Now, the Irish Constabulary had stood the crisis of the temptations of the Fenian insurrection; they bore on their caps, by special grace, the letters which indicated that they were a Royal Irish Constabulary; they had been the champions of everything fair and open according to the idea of the Government of Ireland; they had shown, as the most thorough-going Irish patriots must admit, the most wonderful fidelity to their salt. Yet that Constabulary were now censured and sneered at as hidden traitors, and as being false to their salt, their wages, and their oaths, by the right hon. Gentleman in his desire to parade a number of arrests by which to meet some of his critics in the House of Commons. The right hon. Gentleman went on to say that—

> "It was most difficult to conceive that the police, with the local knowledge they possessed of the character and habits of the people among whom they lived, were not oftener in a position to know at least some of those who were the perpetrators of those outrages; but that it was still more difficult to understand that they failed in so many instances to give ground of reasonable suspicion against them."

Granted, said the right hon. Gentleman, that they did not know who were the perpetrators of outrages, but it was quite inexcusable that they did not trump up some "reasonable grounds of suspicion." The right hon. Gentleman went on to say that "the most active leaders and instigators of the popular movement were well known to the police." How did the right hon. Gentleman know what was well known in Ireland? Let them mark the chaste beauty of the expression of a Liberal in Office, "the instigators of the popular movement." What a marvellous difference there was between the style of a Liberal Leader on the stump and in Opposition, and his style when in the enjoyment of the sweets of Office with £4,000 a-year. There were no longer any burning denunciations of the evils inflicted by a Tory majority and an abominable aristocracy. Such was the marvellous change that had come over the mind of the right hon. Gentleman since he took his seat on these Benches. Surely, out of sympathy for the right hon. Gentleman in his present decadency, they must allow him a temporary repose in a scene blessed with a more bracing atmosphere than seemed to pervade official positions. Perhaps, when once more in the cool shade of Opposition, the moral sense of the right hon. Gentleman might again ascend the height from which he thundered against the iniquities of Lord Beaconsfield's policy. The Circular was an insult of the most offensive character to the Irish Constabulary. When the right hon. Gentleman informed the Force that he was unable to understand how it was it so often happened that the constables could not attach any reasonable suspicion against individuals as instigators, he was simply accusing the Irish Constabulary as a body of being accomplices and shelterers of the "dissolute ruffians" whom he had so often trotted out on the floor of that House. The Inspector General—that was, the right hon. Member for Bradford—who was only the speaking trumpet of certain other persons, said he could only express

> "An earnest hope that the energies of both the officers and men would be used to wipe out what must appear a reproach on their efficiency as preservers of the peace and detectors of crime."

If that Circular had been issued by a Prefect of Police under the Third Empire, or by a chief of the Third Section in St. Petersburg, it would be denounced as a deliberate instruction to forge evidence. In fact, the direct instructions to the Constabulary were to forge evidence. That was the only explanation which could be placed on the Circular in face of the previously declared fact that the Constabulary had no reasonable suspicion. The right hon. Gentleman admitted, within the four quarters of the Circular, that the Constabulary had no reasonable suspicion, and yet he said to them by it—"I do not believe you. You must have suspicion. You are shamming; you are lying." And having said that in secret, the right hon. Gentleman did all in his power to escape responsibility. If they had asked the right hon. Gentleman about this Circular, for a copy of it, did the House suppose he would have admitted that it had been issued? No, he would have declined to give any information whatever; he would have taken refuge behind his official immunity and personal respectability. Under these instructions, the police would be entitled to conclude that a little extra zeal on the part of those in search of promotion would be looked upon with a kindly eye by the right hon. Gentleman. The county inspectors were to instruct the sub-inspectors, the sub-inspectors the constables, and the constables their subordinates, that it was their duty to discover reasonable suspicion against the perpetrators of outrage, and if not against them against men like Father Sheehy, and they were further to understand that the parental eye of the Chief Secretary was upon them. It was absolutely impossible to extenuate the character of that Circular, except on one ground, upon which the Irish Party were prepared to extenuate the policy of the right hon. Gentleman with respect to Ireland—namely, a combination of ignorance, and an overweening self-confidence such as was rarely seen in the Liberal Party. It was intended that this Circular should be concealed from Parliament and the country; and he hoped that English public opinion, as well as Irish public opinion, would declare that a more mischievous and discreditable document was never unearthed from the State archives of British relations with Ireland. The Government complained that there was lawlessness and outrage in Ireland, and said that this was the result of the instigation of certain persons. This only showed the ignorance of the Government with regard to the affairs of Ireland. The peasants of Ireland, whose lot had been rendered intolerable by famine and eviction, needed no instigation. In 99 cases out of 100 the outrages in Ireland were committed from a sense of unendurable misery—from a sense of impending ruin and death, to which the Government showed themselves utterly insensible. What instigation was required to induce the gathering of an angry, furious crowd to hoot a process-server, guarded by 100 soldiers, engaged in spreading writs of eviction? He considered the Government had broken their pledges to Parliament. Instead of acting as a restraining and controlling power, instead of protecting the miserable peasantry of Ireland from their legal oppressors, the Government had actually descended to the mean and miserable position of inciters and instigators of informers and information-layers of all descriptions. If they had similar conditions in England they would not look for instigation. They would look for the remedy and apply it. But Government had not a single project before the House to meet the present urgent wants of the Irish tenantry during the interval that must elapse before they could legislate on the Land Question; and they fell back upon an instrument of coercion that English landlords would be ashamed to apply to English tenants, and, he hoped, English landlords would be ashamed to apply to Irish tenants. If there was a guarantee that justice would be done to Irish tenants, and fair play given to the landlords—even the fair play that the Land League gave them—there would be an end of outrages; but the circulation of a Circular of this kind, hounding on 12,000 constables to forge evidence against inoffensive persons, would not bring peace to Ireland or credit to Her Majesty's Government.

Mr. LITTON said, the hon. Member for Dungarvan (Mr. O'Donnell) had addressed the House for about two hours, and if all the hon. Member's 12 or 14 Colleagues proposed to follow his example, the debate would rival the debates on the Coercion Act, which wasted the time of the House for two months. ["No, no!"] If their object was not to keep back the Land Bill, they would endeavour to close the debate, and look forward to a division that evening; but if, on the other hand, they wanted to delay the progress of that measure, they would waste the whole time allowed for the discussion of this subject, in order that the right hon. Gentleman, who was so persistently attacked, might have no opportunity of replying to the accusations made against him. It was his (Mr. Litton's) duty, and the duty of those Irish Members who differed from the 32 or 33 followers of the hon. Member for the City of Cork (Mr. Parnell), to state boldly, and at the earliest possible period in the debate, that they differed entirely from the charges that had been brought forward by the hon. Member for Longford (Mr. Justin M'Carthy) both with respect to details and principle. Reference was made to the English landlords, and a comparison with Irish landlords sought to be instituted, but that comparison did not apply; for if the relations were the same the ground would be cut from under the Land Bill. The Government had been charged with the responsibility of having brought about disorder in Ireland. He ventured to say, although he sat on the Government side of the House, that the country and the House were fully acquainted with the position of affairs in Ireland, and they would recognize that the whole responsibility of putting class against class rested upon the Land League itself, and not upon Her Majesty's Government—["No, no!"]—and no Government could have acted differently, having due regard to the maintenance of law and order. The hon. Member for Longford, in his speech, had stated that the action of the Government had been to set class against class. But it was simply an abuse of terms to speak in that way. He (Mr. Litton) would ask whence had that opposition between class and class, and all the horrible disorder and misery now happening in Ireland, arisen? It had arisen from hon. Gentlemen opposite, from the teaching of the hon. Member for the City of Cork, and those who followed him. They spoke of a national strike against rent, and advised the people to obey their leaders in everything, and some members of the Land League had said—"Give us rifles, and we will soon free the country of landlords." He had read in *The Times* that morning the last teachings of the Land League. At a meeting held in County Roscommon, Mr. Kettle, in addressing a meeting of the Land League, had asked the people whether they were prepared to obey a national edict against the payment of any rents; and the answer was that they were ready to obey anything. After that, could the hon. Member for Longford stand up in his place in the House, and, putting his hand on his heart, justify his statement that the Government were setting class against class? Had the hon. Member read history so badly as to be unable to see that the setting of class against class was due to the teaching of hon. Members opposite? Ever since he (Mr. Litton) had taken part in public life, he had protested against the agitation going on in Ireland, and had warned the people that while they had a just cause in demanding a reform of the Irish Land Laws they were ruining it by following the guidance of such men as the leaders of the Land League. He was amused at the air of injured innocence assumed by hon. Members opposite. He did not believe they were in earnest, or believed in their own language or action, though he would except the hon. Member for Wexford (Mr. Healy), who was in earnest in all that he did. Hon. Members opposite complained of the Coercion Act; but he (Mr. Litton) maintained that it was the action of the Land League which had rendered that Act necessary, and the Government would be abandoning their duty if they did not put it down. He could not imagine how hon. Members opposite, with sober faces, could get up and attack the conduct of the Government as they had done. What were the charges formulated by the hon. Member for Longford? They were, he believed, four in number. First, the action of the Government in arresting Mr. Dillon; secondly, in arresting Mr. Sheehy; thirdly, in employing the police force in support of the law; and, fourthly, in their use of the Constabulary in order to carry out wholesale evictions. No doubt, the arrests of Mr. Dillon and Mr. Sheehy were the real questions, without which the debate could not have arisen; and he supposed hon. Members opposite would adopt a similar course on each fresh arrest, of having a debate which would last three or four days, and so occupy the entire time of the House, to the exclusion of all remedial legislation. If a man broke the law, no matter what his religious or political position, he should be made amenable; and his conclusion was, that the Government should arrest all suspected persons at once, and so have only one debate on the subject. Could it be said that a man was placed above the law by being a Member of that House, or being ordained a priest? The mission of the priest ought to be one of peace. He believed it was so in the Roman Catholic Church, and the Archbishop of Dublin had given wise counsel to the priesthood. He believed priests were forbidden to interfere in temporal matters. ["No, no!"] Well, if not, in what direction ought they to lead the people? To refuse to pay their rents? To resist legal process? He thought not. Whoever advised others to resist the law must take the consequences of their acts, and the Government would have shown themselves unworthy of their position if they had hesitated to arrest either priest or laymen, or made any distinction as to political or religious position or convictions when people were encouraging others to a breach of the law. He could not lend himself to believe that the Motion was brought before the House seriously. If it was, every honest man on both sides of the House was bound to support the Government in the maintenance of law; and if they were bound to do so, the Government would be unworthy of the confidence of the Liberal Party, or of any other Party in that House, if they failed to maintain the law. He found that the Representatives of the present agitation in Ireland were willing to support its views in that House; but outside that House they had failed to place themselves in the position of their followers, and so accept the responsibility of their conduct. He must, therefore, give his support to the Government.

Mr. W. E. FORSTER: Sir, I am glad I did not stand between the House and the able and manly speech of my hon. and learned Friend the Member for Tyrone (Mr. Litton). But the reason why I did not rise immediately after the speech of the hon. Member for Dungarvan (Mr. O'Donnell) was, that I hoped he would have been followed by some Gentleman acting with him, and that then I should have heard some argument, and not have had merely to reply to the hon. Member's personalities. I rise now, without waiting further, because I am very anxious that the sense of the House should be taken to-day, and I know very well that if I were to put off what I have to say, it would be said that no time was given to reply, and consequently there would be an effort to postpone the division, and to prevent the House from expressing its opinion upon this Motion. I do not think I need dwell much upon the speech of the hon. Member for Dungarvan. There was no attempt on his part to prove the allegations contained in the Resolution. But there were remarks upon another matter which I wish fully to dwell upon before I sit down. As far as the actual Resolution itself is concerned, in the hon. Member's speech there are only one or two bold statements, without any attempt at proof, and a great part of his address consisted of a description of the agricultural depression in England. Now, I will turn to the Resolution itself. I will occupy the House as short a time as I can; but as I fear I must occupy some time in what I have to say I will deal with the charges in the Resolution *seriatim*. The first of these charges condemns the Irish Executive for arbitrarily arresting a Member of this House without reasonable grounds. Now, I will give the grounds upon which the Member for Tipperary (Mr. Dillon) was arrested. But in doing so I must say that I do not give that information—I could not give it, and the majority of the House will not expect me to give that information—with regard to a person arrested, simply because he happens to be a Member of Parliament. There ought to be no respect of persons before the law, because they happen to be Members of this House. I will state the grounds upon which, in compliance with the opinions expressed by large and decided majorities of this House, I have refused hitherto to give the reasons for arrests, beyond repeating what was stated in the actual terms of the Warrant of the Lord Lieutenant. There were three reasons why we thought it necessary to take that course, and why the House of Commons agreed with us that it should be taken. First, there was this reason—and it was the chief reason—we felt that if we did state the ground of arrest we should be endangering individuals. It would be impossible to give such information without enabling the persons to be traced out who have given us the information upon which the arrests have been based, and without endangering their persons, and probably their lives. The next reason, as was very well stated by my right hon. Friend the Prime Minister, was that we did not wish to release ourselves from, and to cast upon the House, the responsibility of our action in the exercise of the large and exceptional powers which have been given to us. There was a third reason, also, which is not without some importance—namely, that if we had determined to give an answer and make a statement in every case, in all probability the time of the House of Commons would have been occupied with nothing else than these arrests. Well, I consider that the last two reasons are removed by this Motion. We are not now trying to shake off our responsibility, and release ourselves from it. We are not doing that; but are doing what we are bound to do—namely, meeting a Vote of Censure, and taking the opinion of the House as to whether we deserve that censure or not. It is very important, at the present moment, that the time of the House should not be wasted; but I confess that I myself am glad that my right hon. Friend consented to ask the House for the opportunity this morning of meeting this accumulation of charges, and I wish to express my thanks to the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) for so kindly assenting to the proposal, and to the private Members who, in consideration of the nature of this charge, and of the very urgent Public Business which the Government have to conduct, have kindly given up a part of that very small quantity of time which is allowed to them by the exigencies of the present Session for bringing forward their Motions. What enables me to make known the grounds of the arrest of the hon. Member for Tipperary is that we arrested him for the speeches that he had made, and that, consequently, I endanger no one by the statement which I propose to make in regard to those grounds. I am well aware that when we passed the Act we did not contemplate that our main action would be with regard to speeches; and our main action in connection with it has not been with regard to speeches. But it would be an entire mistake to suppose, and no one can refer back to the debates, and for a moment say that speeches inciting to violence were intended to be excluded from the operation of the Act. What was stated at the time was this—that we mainly wanted the Act because we wished to arrest those who committed, and those who incited to the commission of, special and individual outrages, and because we could get no evidence, people not daring to give it, as to the perpetrators of crimes, or as to those who abetted them, and because, even if evidence were procurable, it was very doubtful whether juries would convict. But in the debates that took place, the possibility of a speech which would incite, not to an individual act, but which would create such a state of mind among those who might hear it or read it as would make it likely that they would commit outrages, was also contemplated. [Mr. PARNELL: You never said so.] ["Order!"] Now, then, I come to the speech itself. The immediate ground of the arrest of the hon. Member for Tipperary was a speech he delivered at the weekly meeting of the National Land League, Dublin, on Tuesday, April 26. [Mr. SEXTON: What is the report that you have?] These meetings were so far curious, that for the purposes of Government reports they were private, while for purposes of publicity throughout Ireland everything was made known, especially to those persons who might be led to break the law by the instigation of the speeches. The speech, then, was made at a Committee meeting of the Land League, at which the Government reporters were not allowed to be present. It was, however, carefully reported, and the reports agree. I am sure I am not straining the doctrine of reasonable suspicion when I say that the report in *The Freeman's Journal* never having been disavowed, and being confirmed by the report in *The Irish Times* and other papers, may well be considered to be a fair report of the speeches. After stating that an appeal would be made to the Government to stop evictions and the sale of farms, the hon. Member for Tipperary said—

> "If this appeal were refused, he considered he should be borne out by the entire feeling of Ireland in declaring that the blood which might be shed would be on the heads of Gladstone and Forster. He had been accused in the House of Commons of saying an unjust thing when he said the blood which was recently shed in attempts of this kind was on their head; but he left it to reasonable men—what could they expect if they sought to drive 5,000 or 10,000 desperate men out of their homes? Who was to blame if these men would not consent to be driven out like rats without fighting? He had heard it openly stated by the people that they would not do it this time; that they would show fight; and if they were to go out they would knock some people over before they went. He would mention a case which did not get into the papers. The other day an eviction was going to be carried out in his county; 40 policemen came to carry it out. They found the door barricaded; the priest stood by, and said he would not interfere, but he thought it right to inform the police that the first blow they struck five or six would be shot, as the men were inside with loaded rifles.

The police held a consultation, and went back to Nenagh. If evictions were carried out on a large scale in Tipperary, the police must be prepared for fight and resistance; the people would resist, and the next time a man was shot in Ireland for refusing to leave his home peaceably, the verdict would be, if he were not very much deceived in the temper of the people, wilful murder, not against the policeman who shot him, but against Gladstone and Forster."

Now, Sir, I must tell the House what, in my belief, is the real meaning of that speech. What the hon. Member said was really this—that an appeal, which the hon. Member knew could not be granted, would be made to the Government to suspend evictions and executions for rent. There is not a Member in this House who believes that it would be possible to prevent the landlords of Ireland from obtaining the payment of their just rents by legal process. [Mr. HEALY: They are not just rents.] But the hon. Member goes on to say that if the appeal is not granted the people will not let themselves be driven out like rats without fighting, and that if they should come out they will knock some people over before doing so. The mode in which they will do this will be that so successfully practised in Tipperary. Remember the illustration. At the first blow struck by the police, five or six would be shot, as the men would be inside with loaded rifles. Blood, he says, will be spilt, which will be on the heads of Forster and Gladstone. A verdict of wilful murder will be found against them —in other words, the Government will be murderers. The whole resistance would be blameless, and therefore justifiable. Well, if that is not an incitement to murder on a most extensive scale, I do not know what would be held to be an incitement. Let me illustrate and explain the speech by the cases which were brought forward. The hon. Member for Tipperary alluded to the sorrowful business which had happened at Sligo; and it was in order to prevent the recurrence of such a sorrowful business, and to do what we could to prevent men being incited to make a resistance which might result in the loss of their lives, that we felt we were bound to take the steps which we did take. In alluding to that sad business, the hon. Member for Tipperary gives the impression that such a case as that was one in which the people had a right to resist. But it was not a case of eviction at all. The case in Sligo, in which Sergeant Armstrong was battered to death and two men shot, was not a case in which the sheriff was proceeding to evict, but one in which he was merely proceeding with writs to take possession of the chattels on a farm, under process of law, for non-payment of rent. Was resistance to such a process as that to be encouraged; and were we, in our fearful position of having to carry out the law, and of having to secure that there is a law in Ireland, to allow a man, because he was a Member of Parliament and enthusiastic in his views, to make speeches which would almost certainly encourage other persons to do the same thing, and probably occasion a similar loss of life? I will take the other case of what happened in Tipperary. This is really a very instructive case, and hon. Members will remember the impression which was tried to be produced—that there was an eviction; that the police came to drive a man out of his home; that there were loaded rifles in the house, and the police were driven back. Now, this is the true account. The man was named Madden. He was a leaseholder. [Mr. HEALY: Upon whose authority do you give it?] I pledge myself to the correctness of the account I am about to give. The hon. Member may disprove it if he can. [Mr. HEALY: What about the Police Circular?] Madden was a leaseholder, with a farm for his own life and 31 years. He had become embarrassed, and had raised £600 from a money-lender to pay his brothers and sisters. He had mortgaged his lease to the National Bank, and had borrowed from a man named Crowe £42 on promissory notes. A debtor's summons was issued in August, 1879, and he was adjudicated a bankrupt in October, 1879. All his property, therefore, vested in assignees. The National Bank, as mortgagees, claimed £331 on their mortgage; and, with the consent of the landlord and permission of the Court, he sold the lease to Crowe for £400. The Court, on March 22, 1881, ordered the sheriff to put Crowe in possession. About April 10 the sheriff's bailiff went to get possession, and found the house barricaded and filled with armed men, and an immense crowd outside. The bailiff and the constable withdraw. Since that time peaceable possession has been given to Crowe. Madden was made a bankrupt either at the instance of Crowe or the mortgagees. The action of the landlord had nothing to do with the matter, and yet here was a case which the hon. Member for Tipperary held up as illustrating what would happen if the law were carried out. And what was the example to be followed? Why, that if they resisted, public opinion would go in favour of the people, and a verdict of murder would be found against the Representatives of the Government, and not against the persons who committed the murder. It is no pleasant thing to have to arrest a Member of Parliament; but were we, I would ask, to decline arresting Mr. Dillon because he happened to be a Member of Parliament? I know it will be said—Why did you not arrest him before? Indeed, the hon. Member for Dungarvan (Mr. O'Donnell), of all persons, has already put the question. Many hon. Members, I dare say, wonder why we did not arrest him before, and all I can say on that point is that his previous speeches were most carefully examined by myself, and submitted to the legal gentlemen whom it was my duty to consult; and that though we thought they were most mischievous speeches and likely to do a great deal of harm, yet we were informed that we should be straining the powers given us by the Act if we arrested him because of those speeches. [*Ironical cheers from the Irish Members.*] Perhaps hon. Gentlemen opposite think that we ought to have strained those powers. [MR. HEALY: You have; remember the Circular.] I can assure hon. Members that their interjections will not have the effect of shaking me, or of diverting me from the order in which I intend to make my remarks. When the Protection Bill was passing through the House I said we felt we were bound by limitations which were embodied in it. Lord Cowper and myself were aware that one limitation was that we must "reasonably suspect" anyone whom we might arrest of having committed, or incited to the commission of a crime punishable by law being an act of violence or intimidation. The speeches to which I am referring did not appear to us as though they came within that limitation, though some of them came very near it. But now I wish to make a remark which I hope will not be misunderstood. Although it was my fate to arrest Mr. Dillon I felt that in arresting him we were arresting a man who was in one respect the most dangerous, because the most enthusiastic and, perhaps, the most sincere member of the Land League.

MR. J. COWEN: I rise to Order. [*Cries of* "Order!" *and* "Chair!"]

MR. SPEAKER: If these interruptions are continued, I shall have to take a course which I should be very sorry to take.

MR. J. COWEN: I only rose to a question of Order.

MR. SPEAKER: The right hon. Member for Bradford is in possession of the House, and is entitled to continue his speech.

MR. W. E. FORSTER: I cannot conceive how I can be supposed to have transgressed the Rules of Order. I have no doubt that if I do so transgress those Rules you, Sir, will call me to Order. I was saying I regretted that it fell to my fate to have anything to do with the arrest of the hon. Member for Tipperary, and I say so because I am anxious that there should be no misconception of what I am now about to add. Mr. Dillon took very great care, in those speeches, not to bring himself within the provisions of the Act; but I do not wish to be supposed to insinuate by that statement that he wished to guard himself against the consequences of what he said. I believe his feeling was that he was useful to the cause of the agitation in Ireland, which I think he had most mistakenly determined to advocate. Therefore, he was anxious to keep himself at liberty, as long as it was possible, for the purpose of aiding it. But the way in which he conducted the speeches to which I am referring was very well described in the last speech which he made in Tipperary on the Sunday after the Warrant for his arrest was issued, but before he was arrested. He then said—

> "There are a few practical points which I wish to impress upon you in reference to the coming struggle between tenants and landlords. The first of these is that you must use your organization as far as the law will permit you—and I advise you to keep within the law, not because I believe you respect the law, but simply and solely because it does not pay to allow the landlords to catch you outside the law."

He did not, I believe, think it would pay to allow the Government to get rid of him; and all I can say to those hon. Members who suppose that we neglected our duty in not arresting Mr. Dillon before is, that they would probably be of a different opinion if they had to do what I have been obliged to do—carefully read his speeches, and judge them in connection with the powers which have been given us by the Act. I hardly know whether I need defend myself against the charge that we picked out this particular time for arresting the hon. Member for Tipperary, because we were afraid of his action with regard to the Land Bill. On that point I can honestly say that I miss his absence, and for this reason, like the hon. Member for Wexford (Mr. Healy) and the hon. Member for Cavan (Mr. Biggar), who do us the greatest possible service, though no doubt unintentionally by the course of action which they take, I think that we might have derived somewhat similar assistance from the hon. Member for Tipperary. I am told, however, that we arrested him because he was coming over to this House to state the case of the tenants who were in arrear. Well, the supposition that we might prevent that was the only ground which I felt had to be weighed against his arrest. But we had no reason to be confident that he was coming. I wish to be perfectly fair in the matter, and, therefore, I will give the exact expression in his speech. It was this—

> "Next week a last appeal will be made to the Government to suspend the process of eviction in Ireland during next year."

There is no statement, however, to the effect that he was going to make that appeal, and we had no reason to believe that he was coming over. On the contrary, we knew that on the Tuesday he was fully expected, and there was every probability that he would attend a meeting, at Monaghan, and we were aware that he was advertised to attend what seemed to us to be, from his point of view, a very important meeting in Dublin on the Friday, and another at Middleton, in County Cork, on the Sunday. The real fact is, that we could not run the risk of a repetition of these speeches; and, therefore, as a Government, we felt ourselves obliged to act. Indeed, I do not myself think that Mr. Dillon had made up his mind to come to London that week. If he had done so, I think he would have stated that it was his intention to do so at the last meeting he attended. But, be that as it may, the point is one which, in my opinion, does not matter much. The next charge refers to our conduct in proclaiming a state of siege in Dublin. Now, I do not know whether the hon. Member for Longford (Mr. Justin M'Carthy) has ever when abroad seen a town in a state of siege. If he has, he will, if he goes goes to Dublin, find there at the present moment a very different state of things. I suppose that it was simply an oratorical mode of expressing the fact that we had prescribed the city and county of Dublin under the Act. I have no objection to state, and I suppose everybody knows, that our chief reason for doing that was to arrest the hon. Member for Tipperary. In Dublin the meetings of the Land League Committee were held by which that powerful organization sent aid and advice to the other Land League Committees throughout Ireland. At the meetings held in Dublin speeches were made which were calculated, in our opinion, to incite to disorder, and probably to such disorder as might occasion loss of life. Therefore, we proclaimed the city and county of Dublin. As the Land League chose to victimize the City of Dublin, we deemed it necessary to have the power of arresting persons who made speeches there inciting to disorder and which might cause bloodshed, and which could not be made in any place more dangerously or more effectually. I have now dealt with the first two counts of the indictment. I come next to the arrest and imprisonment of the Rev. Mr. Sheehy. I do not wish the House to suppose that we thought it was a light matter to arrest a clergyman—or a clergyman of the Roman Catholic Church. If Mr. Sheehy had been a layman, he would undoubtedly have been arrested before he was. We know very well that there are reasons why we should be very careful—why any Government should be careful—before arresting a clergyman. There is a difficulty as regards their flocks in dealing with clergymen; but there is also a habit of using strong language which is not, perhaps, confined solely to clergymen of the Roman Catholic Church, and which requires some forbearance on the part of the Government. But I may state at once that the immediate cause of the arrest of Father Sheehy is stated in the Warrant. He was reasonably suspected of having been guilty as participator in a crime punishable by law—that is, assembling with others and unlawfully attempting, by threats and menaces, to compel divers of Her Majesty's subjects to quit their lawful employment. I cannot give the detailed grounds on which the arrest was made. [*A laugh.*] Hon. Members laugh, but they know perfectly well what would be the effect of giving those details. The persons concerned would either have to leave the country, or their lives would not be worth 24 hours' purchase. But I will state what I can state in reference to the speeches of Father Sheehy, and which might themselves have warranted his arrest. My only reluctance in referring to these speeches is due to the fact that we may fairly lay ourselves open to the charge that we ought to have arrested him sooner than we did. I must occupy the House as shortly as I can; but here is a speech made at Feenagh, in County Limerick on April 3. On that occasion Father Sheehy produced a writ which he held up to the gaze of the people, who groaned heartily. He then said—

> "This writ has been issued against a man named Connor, in a place called Bargavan, within the jurisdiction of the Castle Mahon branch of the Land League; and being asked for advice as to what course should be pursued by Connor now that this has been served, I say to Connor and Connor's neighbours—'Fight this battle to the bitter end. Force Lord Guillamore to bring the sheriff, and ask the neighbours not to be absent on the occasion, and by their moral support, and in every way by their influence on the occasion, to save Connor from any injurious consequences resulting from his manly attitude.'"

[Mr. HEALY: Is that all?] Is that all! It is enough. Now, I will state what was the consequence of Father Sheehy's advice. The speech I have quoted is one of a great number of speeches of the same kind, and we must bear in mind not merely the violence of the language used, but whether the language results in violence. On the next day, Mr. Collett, Lord Guillamore's agent, was serving writs with the bailiff and two constables when he was set upon by a mob, who stripped him of nearly all his clothes, and his bailiff of absolutely all, and beat the latter. Next day, while Mr. Collett was leaving by train, under the protection of the constabulary, at Newcastle Railway Station, another mob attacked him and smashed the railway carriage with stones, Mr. Collett being nearly killed. That was the way in which, following Father Sheehy's advice, these people assembled together and used their moral influence against the execution of the law; and I do not think that there is anyone who examines the language of Father Sheehy in regard to the assembling of the neighbours who will wonder when I say that I reasonably suspect Father Sheehy of expecting that that would be done. There is another speech I will read, delivered by the Rev. Father Sheehy at Athea, County Limerick, on May 1, 1881—

> "The Land League pledges those who are loyal to its principles, under every instance where a solid reduction is not made by the landlord, to force him to collect his rent at the point of the bayonet, to force the emergency men to come up from Dublin, and the sub-sheriff to come out from his comfortable quarters, and the Royal Irish to trudge from their barracks, the hotel-keepers and car-owners taking care to 'Boycott' them, and so forcing them, at last, to reach the homestead where the rack-rent is to be collected. Now, if this be done, as I hope it will be done, it will take these misguiders of landlordism a much longer time than that which is to be numbered by the number of days within six to collect the current gale; and when the gale is collected, they will have to repeat the same operations next September and next March."

What does that mean? What does it mean addressed to an excitable and high-spirited audience but that they are to risk the shedding of blood, and even the loss of life, in resisting the landlord until the rent is reduced. Could anyone that has the experience of Father Sheehy—knowing his duty to preach forbearance—have any doubt what would be the result of the words he used? I will give another illustration. A meeting was held at Kilmallock about that time on a Sunday—these meetings are generally held on a Sunday—it was about three or four weeks ago. Another Roman Catholic clergyman, Father Clery, spoke. He said—

> "I am speaking deliberately. I am not speaking hastily, but calmly and dispassionately, and I ask you for a cheer for Fenianism. I give you my reason for that, as I wish to explain everything. I say when people are oppressed, and when suffering is entailed upon them, without hope of redress, they have a right to rebel. My Fenianism was the Fenianism that would be successful. If I had a resolution to propose, I would like it to be one for breaking open the gaols and emancipating the prisoners."

[Mr. HEALY: Hear, hear!] The hon. Member for Wexford cheers even that If these are his sentiments, perhaps he will go to Ireland himself and express them. On reading Father Clery's speech, I thought it my duty to state to the Irish Executive that I thought the reverend gentleman ought to be arrested. After he had called for cheers for Fenianism, and stated what he did, the House will, perhaps, wonder why he was not arrested. And it must be borne in mind that the events of that Sunday evening were not inconsistent with the tenour of the speeches delivered in the afternoon. In the evening, a Land League meeting was held at Kilmallock. Two patrols of police, of four men each, were attacked by a mob with stones. The men at the barracks turned out to protect the patrols, and a very large mob collected and pelted the police with all sorts of missiles. The only way in which the riot could be stopped would have been to fire on the mob; but as there were many persons trying to stop the rioting, several innocent people would have been shot. It was thought better to withdraw the men to the barracks. Many of them were hurt. After the police retired, the crowd paraded the streets with bands, hooting and shouting at the police. Later in the night, when darkness came on, the windows of the barracks were broken by a large mob. Thus the police consented —to their very great discouragement as upholders of the law—to be beaten back rather than, in that case, to have fired, and, perhaps, killed innocent people. I do not for a moment doubt that that riot would not have happened that evening had it not been for those speeches on that day. Well, now, why, I say, was Father Clery not arrested? I got back, in reply to my communication, a statement that he was a very old man. But I found afterwards that that was not exactly true. He is not a very old man. But he was not a man who had taken a very violent part before in the agitation, and if the Government had arrested him without arresting Father Sheehy it would have been thought a very invidious proceeding. Father Sheehy spoke at the same meeting, but, on that occasion, was more careful as to the expressions he used. But he was the real instigator of the disorder that prevailed. A night or two ago, on a Motion for adjournment, a letter was read by the hon. Member for the City of Cork from Father Sheehy, written before his arrest. I must detain the House while I read that letter. It was not reported in the London papers, but was in *The Freeman's Journal*. In it he says—

> "Mr. Clifford Lloyd, R.M., is here in his magisterial capacity since Friday. On the evening of his arrival he went through the town, and, though an utter stranger here, being an importation from Belfast on the day previous, he insisted on the people dispersing to their homes, who were quietly chatting in the street in groups of three and four, as is the wont of people at that time in the town. On their refusing, he proceeded furiously to strike them with his cane, and struck several violently over the shoulders. He subsequently brought out the police with their shotted guns and cleared the streets. The police clubbed the people freely with the stocks of their rifles. . . . . . This furious conduct was climaxed last evening. Our local band played some airs through the streets, and on its passing the police barracks some few persons in the crowd cheered. Forthwith, over a dozen policemen, whom the magistrate had formed into line in anticipation of the arrival of the band, rushed into the midst of the crowd and used their bâtons like so many maniacs."

Now, before I state what is officially reported in this matter I would say a word about Mr. Lloyd. Mr. Lloyd is a magistrate who was sent down to assist another magistrate in that district, the district itself being in a most dangerous condition. He had been to Belfast, where, I believe, he has obtained the good esteem of the respectable men of both sides. It has been stated, or insinuated, that he had a special feeling against the Land League. My experience of Mr. Lloyd is this—that his action brought him into considerable disfavour with some hon. Gentlemen from the North of Ireland—not Members below the Gangway. He prevented a meeting of the Land League being interfered with by armed Orangemen. That was my first experience of him, and I much approved of his conduct. We found that he acted with great energy, and I may say, also, with great forbearance in many difficult positions he has occupied, and we sent him down because we believed that he was courageous, energetic, and discreet, and likely to quell the disturbance that certainly existed in that district. I am perfectly sure of this—that any man sent there likely to quell the disturbance would have had the attacks made upon him that have been made on Mr. Lloyd, and hon. Members like the hon. Member for the City of Cork (Mr. Parnell) and those that sit with him would vindicate those attacks. Having said so much about Mr. Lloyd, I may state that I had a letter from him to-day in which he says that these statements about his own actions—the use of the cane and so forth—are absolutely without the smallest foundation, with the exception of the statement that the Rev. Father Sheehy's servant may have been struck when a small body of police were rudely and deliberately attacked by some 300 rioters. This is what he writes after seeing the charge against him. But what was the information he gave to the Government in the simple execution of his duty before he knew that any charge was made against him? Here is the report of what happened. He says—

> "Mr. Lloyd wishes particularly the Government to understand what is meant by the term 'Boycott,' as understood in Kilmallock and the country round, and he speaks now for his own personal observation. On the day of his arrival in Kilmallock, he saw two men being hunted through the streets by a large mob shouting 'Boycott them, Boycott them!' The men rushed into a publican's house in a state of abject terror, the mob striking at them with their sticks. The door was slammed in the face of the mob, who then commenced to kick in the door, when Mr. Lloyd himself interfered with a few policemen, sent for more, and cleared the street with some difficulty, amid the groans and hoots of the people. After some time, he had the two persons escorted out of the town into the country by an officer and some men of the police, and, from inquiries made, he found that their alleged offence was the statement that they had paid their rents—a high misdemeanour—which, however, they denied having been guilty of."

Now, that is the account of the occurrence, not sent in order to meet Father Sheehy's account, but given by Mr. Lloyd in the course of his duty stating what happened after he got there. Mr. Lloyd states that he knows that a man "Boycotted" is in the position that neither his property, person, or life is safe, but all are in immediate danger. He cannot appear in public, for he would receive exactly the same treatment as that already recorded, and that is what members of the Land League are loudly boasting of—that, holding and making use of such weapons, they are "masters of the situation." The reason why I state this is to explain the action of the Government. It is sometimes imagined that we can arrest men under this Act simply for "Boycotting," or advising "Boycotting." Where "Boycotting" simply means exclusive dealing, we cannot do that, and we have not done it; but where "Boycotting" means putting any person in danger, we can do it, and have done it in many cases, and shall do it again.

Mr. O'SULLIVAN: Will the right hon. Gentleman give the names of the persons "Boycotted?"

Mr. W. E. FORSTER: I think it would not be right to give the names. The hon. Member knows that if it is not already known who they are, the fact of my stating in the House the names would lead from "Boycotting" to something worse.

Mr. O'SULLLIVAN: It is in my neighbourhood, and if it had occurred I should have known it.

Mr. W. E. FORSTER: I give the hon. Member credit for not knowing these circumstances. Well, now as to the attack on the police barrack. Mr. Lloyd reported as follows:—

> "His Excellency will, therefore, not be surprised to hear that last night an attack was made on the police barrack here, which is situated at one extremity of the town. At about 9.45 p.m. a band began to parade the town collecting the rioters. I at once went across to the barrack, which is opposite where I am lodging, and ordered the men to divest themselves of their side-arms and get their bâtons."

Here I may say that one reason why I was glad to send Mr. Lloyd down was because I knew that he had a belief that much could be done by the police with their bâtons, and without arms. The Report continues—

> "A very small force was available—only 20 men in all. The horses had to be protected in the rear, and the barrack kept occupied. For these duties I left six men with rifles. Our arrangements were just completed when the band began outside the barrack, and the mob commenced yelling and shouting. With Mr. Sub-Inspector Jennings, I led out 13 men, and was received with a volley of stones; but giving the order at once to clear the street, the small body of police, led by Mr. Jennings, very bravely charged in the very centre of the mob, which numbered from 300 to 400 people, thus dividing it into two portions. The police first charged one way and then the other, using their bâtons freely and with determination. The mob was completely taken aback, and was utterly routed. The people showed signs of renewing the attack; but I sent up a prominent Land Leaguer to inform them that if they did so I should use our fire-arms. We remained during the night prepared for any emergency. I need not comment upon such a condition of affairs. At daybreak I had several rioters arrested."

Mr. O'DONNELL: I want to ask the Chief Secretary—[*Cries of "Order!" and interruption.*]——

**Mr. W. E. FORSTER**: I say that this showed great courage, great forbearance; and if you compare it with the letter of Father Sheehy, you will see the difference of the account. This stoning of the police and stoning of the soldiers is a very serious matter. The police did their duty, and they are fulfilling their duty in a most courageous and forbearing manner. But policemen are men of flesh and blood, and so are the soldiers, and the soldiers are young soldiers; and if we are to have clergymen of the Roman Catholic Church—men of position—making speeches to bring the people into such a state of excitement that stones are hurled at them, the consequences may be grave. Now, I have told the House why we could not give the grounds upon which we thought it necessary to act on that special Warrant in the case of Father Sheehy. I can only say that, at some future time, if the general policy of our arrests should be contested, I would gladly let it be tested on the strength of these grounds. I have shown what we had to deal with in Father Sheehy; but I will acknowledge that, for reasons I have already stated, and also for other reasons, we thought that great forbearance was necessary. We hoped that some sense of his Christian duties, some sense of what would be the sufferings of the persons—men of his own flock — that he was exciting, would prevent a continuance of that conduct; and we also thought that that might happen with him which has happened with other priests, that he might be advised by other persons to be more moderate and careful. But we waited till we could wait no longer. We waited till it was clear that others were following his example, thinking that because they were clergymen and because it was their business to prepare people for the next world, that they might break the law and incite men to what would lead them to punishment in this world. And Father Sheehy had boldly stated that he would take that line. I want hon. Members to listen to this. There was a meeting at the National Land League, in Sackville Street, on March 3. Father Sheehy then said—

> "There might be arrests. The priests of the country were determined to take such decisive action that it would be impossible for the Government to pass them over and arrest others; so that the Government, if they acted fairly, if they were not cowards, as he believed they were, would have the responsibility of arresting the priests first; and then, having arrested the priests and put them into prison, their work be on their own heads, because they would then touch a chord in the Irish heart which has not yet, perhaps, vibrated. He, therefore, dared them to the worst."

[*Cheers from the Irish Members.*] I thought that I should find some hon. Members cheer this statement of a clergyman, that he would take advantage of the religious feelings of the Irish people, and that he would defy the law, relying that he would not be arrested on account of his position when he endeavoured to strike a chord that would be dangerous to the Government. The Government have to consider the effect of striking such a chord; but, upon the whole, we believe that we should not be acting justly if we respected persons and allowed priests, because they are priests, to incite people to actions of that kind. Now, Sir, I come to some remarks on our general policy. I can only state to the House that when I first went over to Ireland to assist my noble Friend the Lord Lieutenant in the prosecutions, the ground we took was not to arrest everyone whose case was brought before us. Some hon. Members seem to suppose that we try to create and manufacture outrages. [*Interruption from Irish Members, and cries of* "Hear, hear!"] Well, the outrages exist, at any rate; and I may inform hon. Members, although I do not expect some of them who say "Hear, hear!" to believe me, but I know that the House generally will believe me, when I state that we only arrested a small proportion of the cases that were brought before us. We only picked out for arrest those whose apprehension we thought would have most effect in discouraging and deterring others, and those against whom the cases were most apparent; and there were a large number whom other persons—not local magistrates—thought we should arrest—no doubt, as they thought, on good grounds—but whom we did not arrest. Then I hoped that that would be sufficient as regarded retrospective arrests. I think we have hardly made a retrospective arrest since—that is to say, we have hardly made one arrest of any person charged with committing or inciting to an outrage before the passing of the Act. The hon. Member for Dungarvan (Mr. O'Donnell), with that accuracy which characterizes him, says that we have arrested no perpetrators of outrages. Well, I have just sent for the list that was last laid on the Table of the House, and I find that in that list there are 54 persons named, two of them for treasonable practices——

MR. T. P. O'CONNOR: Remember, too, that two of them were arrested on suspicion.

MR. W. E. FORSTER: Yes, they were all arrested on suspicion; they could not have been arrested on anything else. Nineteen of the cases were for inciting to outrage, and 33 for perpetrating outrage. For a time the Act had an effect; then we found out that the outrages were increasing, and we also found out that the organization that had been checked in the first place by the Act, had again become very active. I stated then, and most distinctly, that I hoped, as regarded every bad outrage, every decided outrage, the police would be able to let us know who should be arrested in connection with it. One of the great difficulties the police had to contend with was the completeness of the organization—people, for example, being actually sent from a distance to commit these outrages. I do not think that any hon. Member who has read or heard anything, or knows anything of the worst of these outrages, particularly the murders, can have the slightest doubt about the matter. And now comes this question of the Circular. It was certainly not directly issued by me. [MR. T. P. O'CONNOR: Yes; but you are responsible for it.] Yes, I am responsible for it; but I merely state the fact of its issue by the Chief Inspector, because of the remarks made by the hon. Member for Dungarvan. The orders were, I may say, those of the Chief Inspector, made with my sanction and that of the Lord Lieutenant. Taking the Circular, I desire to correct a mistake I made yesterday. The last thing I would do would be to avoid any responsibility; and I may have conveyed to the House that, although I was fully responsible for the substance of the Circular, I was not responsible for the opening paragraph. It was submitted to me in proof; but I was so attentive to the general substance of the Circular, that I lost sight of that paragraph. I have no objection to state that had I foreseen the critical examination of the hon. Member for Dungarvan, it would have been worded otherwise. It is suggested that it was necessary for us to guard against misconstruction; but that was not so, because it was a confidential Circular, sent only to 18 men, who were certainly not likely to subject us to misconstruction. I may tell you, too, why those words were used. They were used because the Inspector General did not wish the police generally to suppose that there was a censure upon them by the authorities. We did think it desirable to remind them in some degree of their duties; but we did not wish to remind them in a manner that they might think they were censured by the authorities in Dublin. The words "lock and key" are generally used in confidential Circulars, and I think we did perfectly right in telling the police that it was their duty to stop these outrages if they could.

MR. T. P. O'CONNOR: Stick to the Circular.

MR. SPEAKER: The hon. Member for Galway having interrupted several times in a manner quite unusual, if he does so again I must warn him that he has disregarded the authority of the Chair.

MR. W. E. FORSTER: I must next refer to the second paragraph of the Circular, which states—

> "It is to the fact of the impunity with which secret and violent outrages are committed that the Inspector General desires to call attention in a very special manner."

I admit that I was disappointed at the extent of that impunity. The Circular goes further, and states—

> "It is most difficult to conceive that the police, with the knowledge they possess of the character and habits of the people among whom they live, are not oftener in a position to know at least some of those present at the perpetration of nightly outrages; but if it is difficult to believe this, it is still more difficult to understand that they fail in so many instances to give grounds of reasonable suspicion against anyone."

These officers, no doubt, occupy a difficult position; but it is my business and the business of the Inspector General to stir and stimulate them. If it had been a question of manufacturing outrages, then what hon. Members have said would, no doubt, have been perfectly true. But they are not manufactured; they are too certain and too evident. Our business is to stop them. We have, not unfrequently, had men sent up to us as being suspected without what we considered reasonable grounds of suspicion. We have, therefore, naturally asked the police if you really do believe these people did commit or incite to these outrages, you ought to have looked out more carefully and obtained more information that would give us some grounds on which to act. The Circular further states—

> "The most active leaders and instigators of popular movements of every description and their respective characters are well known to the police."

Had I had to write that, I should probably have qualified that term. Probably, however, everyone knows what it meant. It does not mean popular movements as we understand the term in England, or a movement for Constitutional purposes, but one leading to such acts as "Boycotting," for example. The Circular says—

> "The persons who are likely to be led by their influence and advice are also well known; and the Inspector General is, therefore, unable to understand how it so often happens that on the occasion of an outrage admittedly committed at the instigation of the leaders referred to, the police officers and their constables state that they cannot attach any grounds of reasonable suspicion against any individual even as an inciter to outrage."

Now, statements with regard to outrages come to us. We have not the slightest doubt that the outrages have been committed. Had we acted as hon. Members have supposed, we should have taken these statements without inquiry, and not have stimulated the police to give the reasonable grounds of suspicion. I know very well what must be the fate of any Minister who attempts to restore order in Ireland. (*Interruptions from the Irish Members.*) But I expect to be believed by the majority of this House when I say that this would have been a bad Circular to have issued had it not been issued in order to obtain information for persons who were sifting for themselves with the greatest possible care the grounds upon which cases were sent up, and who, in the majority of instances, did not accept those grounds. Now, I think I have said all, or nearly all, I intended to say with regard to the actual charges made under this Resolution; and I must add a few words on other charges which have not been made to-day, but which I regret were made in the heat of debate by one of the Members for the University of Dublin some time ago—that we had not carried out these measures, as we ought to have carried them out, with energy and determination. The noble Lord the Member for Woodstock (Lord Randolph Churchill) says we have carried them out with caprice.

LORD RANDOLPH CHURCHILL: Yes; it is quite apparent.

MR. W. E. FORSTER: No doubt, it is apparent to the noble Lord; but the noble Lord recently gave us, as an illustration, that Archbishop Croke—

LORD RANDOLPH CHURCHILL: No; nothing of the kind. I referred to Father Sheehy in my Question.

MR. W. E. FORSTER: I am glad the noble Lord does not forget that even he has some degree of influence as a Member of Parliament. He forgets, however, that he may convey an insinuation by asking a Question, without the remotest foundation for it, and an insinuation which may equal in effect and intention any statement. I am now about to speak to Members from Ireland on the Benches opposite me behind the Front Bench. This Act, though the widest ever passed, has its limits, and we cannot go beyond its limits. It is our belief that anyone in our position would have acted as we have done. You who stand by and look on cannot tell what we were obliged to consider when putting into operation an Act with regard to which we were pleged not to arrest persons except we believed they came within its terms. Speeches which were comparatively innocent at first have now become very dangerous, and the effects which have followed and follow from them are so frequent, and they must be, or ought to be so well known, that I admit, and we accept, the responsibility that we have to deal with speeches in a different manner from that in which we had to deal with them at first. Again, if we had strained the law, if we had not shown some forbearance in exercising it, we might very probably have set public opinion against the law. But we resolved to err on the safe side. I may say, here, that nothing I have heard from any Member of the House gave me so much pain as the words used by the right hon. and learned Member for the University of Dublin (Mr. Gibson) a few days ago, I hope without intention. I admit his great talents, his great experience, and his great patriotism; but I think he ought not to have said, without specifically defining the reasons or grounds, that the Government had lost the respect of everyone in Ireland.

Mr. HEALY: I rise to Order.

Mr. SPEAKER: Does the hon. Gentleman rise to Order?

Mr. HEALY: Yes, Sir; because, three nights ago, you ruled that I was out of Order in referring to a debate that was past; and I now ask you whether or not the right hon. Gentleman the Chief Secretary for Ireland is in Order in referring specifically to the remarks made by the right hon. and learned Gentleman the Member for the University of Dublin to the effect that the Government had lost all the confidence of the Irish people?

Mr. SPEAKER: As I considered that the right hon. Gentleman was not out of Order, I have not interposed.

Mr. W. E. FORSTER: I will not go farther than say that I am ready at any time to meet any specific charge of neglect of our duty since this Act was passed. But now comes the question of what is to be our future policy in Ireland. I am not going to trespass on the time of the House further than to remind hon. Members below the Gangway, who act, as they say, on behalf of the tenants and people of Ireland, that although we are not assisted, at least intentionally, in passing our remedial measures, we intend to pass them. We believe that the law of the country has to be amended. We mean to amend it. We are determined, also, that the law shall be respected. There is a combination to make robbery successful by armed resistance. There is no doubt whatever that in very many cases these poor fellows, whose feelings of selfishness are appealed to, in order to induce them not to pay their rents, are able to pay them, and ought to pay them, even though it may be desirable in some of those cases, perhaps in many of them, to have such an alteration of the law as will make the rent lower in the future. But there are hon. Members who, I suppose, would say—"Let that combination succeed." We intend that it shall not succeed. We do not intend that a combination to rob any persons, even though they be landlords, shall succeed because there is armed resistance. The hon. Member for Dungarvan (Mr. O'Donnell), with that precision and accuracy which invariably distinguishes him, put together the state of Limerick and Donegal.

Mr. O'DONNELL: No.

Mr. W. E. FORSTER: But I put down the words in writing.

Mr. O'DONNELL: Yes, with the accuracy which usually distinguishes the Chief Secretary. [*Cries of* "Order!"]

Mr. W. E. FORSTER: We must face the facts, and not be deluded by any utterances we may hear. The misery of the cottier tenants of Mayo, Donegal, and parts of Galway is selfishly made use of as an argument and a ground why tenants who in other districts are perfectly well able to pay their rent should not pay it. Were we to allow this conspiracy to succeed, we should strike a blow against the existence of all law in Ireland and do that which would be disgraceful to any Government. But we intend to defeat it if we can. And while, Sir, I have anything to do with this Act, when we have reasonable grounds for suspicion, we shall first arrest the perpetrators, and then the abettors and exciters, be they Members of Parliament or not, be they clergymen or not, or be they members of the Land League or not. Now, I know that there are many Members in this House who say, as others outside in the country say—"You ought to put down this Land League." That would require, I suppose, a fresh Act of Parliament. I will tell hon. Members who are somewhat impatient of our action in this respect, that it is not by proceeding against the Land League as a name, or as an organization, that we can quell disturbances; but it is by going against the individual leaders of the Land League. If they descend to illegal acts, we shall make them responsible for such acts as individuals. I have now to reply to the Question put to me by the noble Lord the Member for Wiltshire (Lord Folkestone). I do not want the House to have any exaggerated notion of the present situation. I do not think it is so bad as a mere perusal of the papers would make it appear. It is bad, no doubt. In January the number of agrarian outrages was 439; in February it fell to 170; in March to 148; in April it rose to 296—many of them, too, very bad cases—and for the first two weeks of this month—May—the list still continues discouraging. But there appears to be a change for the better. I do not really know whether it is a permanent change or not; but I hope it is. In the first week, the number of offences were 91; in the second, 91 also; and in the third, 56. [Mr. PARNELL: Will the right hon. Gentleman give the number of evictions?] I have not got the Return. What we have to deal with at this moment is a violent resistance in one or two districts, and that resistance we must quell. It is worst, probably, in County Limerick than anywhere else. I look with alarm upon it; but not alarm that the law will not be sufficiently powerful, but lest there should any day be a collision with serious loss of life. There are two parties with whom it would rather seem to be a desire that there should be a collision. There are some persons who think honestly that there will not be peace in Ireland until there has been a serious collision. There are, too, those who I verily believe wish for a serious collision, because of the discredit which they think might attach to the Government for it. I hope to disappoint both these parties. I believe that by our policy of sending an overpowering force wherever we expect resistance, we shall be able to restore law without bloodshed; at any rate, without serious bloodshed. The difficulties of the Government are very great, and I trust that the House will to-day give a decided opinion as to whether they will continue their confidence in us or not. I have a right to ask that on behalf of the Government. For myself, personally, I do not ask for sympathy, still less for forbearance; but I do ask for fair play. This I am getting from the country, and this, I confidently believe, I shall also receive from an enormons majority of this House.

MR. PLUNKET said, he desired to interpose in the debate for a very short space of time. With reference to what had fallen from the right hon. Gentleman (Mr. W. E. Forster), he would make no comment on it, except to say that he and those who acted with him had always held, and should continue to hold, the Government responsible for the way in which they had exercised their powers in Ireland. They also held them responsible for much of the trouble which had arisen in that country; but, so far as he was concerned, he had endeavoured, while frankly criticizing the Government, to keep within the limits of fair comment and moderate language. Every word that he had used in that House, or out of it, he would be ready on the proper occasion to maintain; but the question to-day was of a totally different character. It was a Motion directed against the Executive, and intended as far as possible to paralyze its arm. From every proposition contained in the Motion he entirely dissented. He would be a party to any such attempt to weaken the hands of Her Majesty's Government in Ireland. The right hon. Gentleman the Chief Secretary for Ireland had received but scant courtesy in his defence against those who attacked him. But he (Mr. Plunket) thought the right hon. Gentleman had completely succeeded in his answer to the charges which had been, on this occasion, made against the Government; and therefore he only wished to refer to one matter, and that was with the object of defending the characters of two honourable men from the aspersions that had been cast upon them. Language had been used stronger than it was usual to hear in a debate with reference to the circumstances that preceded the arrest of Mr. Sheehy—language such as the "infamous conduct" of Mr. Coote. He would not now stop to comment on that language; but he merely wished to put on record the actual circumstances of the estate referred to—the estate of Mr. Coote, in Limerick, near Kilmallock, the agent for which was Mr. Uniacke Townsend. The case was this. There had not on that estate been an ejectment for 23 years, and during that period six leases had expired. The charges were of rack-renting, of harsh action, and raising of rents; and what were the facts? Over a property, the rental of which was £4,064, in 23 years the increase in rent had been only £147. [*Great interruption from Home Rule Members.*] To these interruptions he would not yield; but it would be impossible to continue debate if they were persisted in. Several of the rents on this estate had not been increased since 1825; and there had been only two evictions, and these for non-payment of rent, in the last 23 years. One of these was a case in which there was a family dispute, a farmer being beaten by his children, and compelled to go to America; and the other was the particular case on which such stress had been laid—the eviction of a man named Murphy. And what were the circumstances of his case? This tenant certainly had not been an improving tenant for the last 16 years, and his farm had never been in a satisfactory condition. He paid a rent of £140 a-year; so he was not one of the class of small and helpless tenants. [An hon. Member: What is the valuation?] It was impossible to proceed in the face of these interruptions.

Mr. SPEAKER: I have distinctly pointed out these interruptions are disorderly, and I must take serious notice of them if they continue.

Mr. PLUNKET, resuming, said, that since 1825 there had been no alteration in the rent of this man's holding, and then it was reduced by £8. What were the circumstances of this eviction, on account of which the whole County Limerick was to be raised, and in reference to which such strong language had been used by the rev. gentleman? In May, 1880, an ejectment process for non-payment of rent was obtained, the tenant being £160 in arrears. It should be said also that the landlord would incur a loss of £250 by the ejectment, because in addition to the amount of arrears the landlord recently expended £90 upon an addition to the dwelling-house and the offices, the latter of which had been allowed to fall into disrepair; and in October, 1880, he offered £100 to the tenant to assist him to emigrate. This was the man whose case was brought forward as the test case from the county of Limerick. What happened? At last one of these two ejectments took place, the tenant owing £160. The sheriff took possession under the decree, and a caretaker was put in, pending redemption. There was some arrangement, by which a certain amount of the redemption was secured by the letting of the grass, and shortly after the tenant came and offered the balance. By this time an addition to the rent had accrued, and the landlord said—"I will willingly accept you, if you will get security for the balance of the amount." The tenant went away apparently with the intention of obtaining the security; but then there came about one of those occurrences with which they were now too familiar. The Land League came into operation, and the tenant was persuaded to take forcible possession of the holding, defying the law, the landlord, the agent, and everybody else. That happened on an estate upon which landlord and tenants had always been on the best possible terms. Then came this unfortunate influence, and they saw the consequence. The remainder of the story was brief. The man was prosecuted for his illegal re-entry into the premises; but the jury disagreed, notwithstanding the man's own admission. Judge Barry on the occasion remarked that this was another of those discreditable scenes that had taken place during the Spring Assizes, and went to justify the remark that all over Ireland trial by jury had become a farce. It was so in the county of Limerick. He would not occupy time further; but he would leave it to the justice and honour of the House to say whether the charges against this gentleman and his agent, so recklessly made, had been fairly or justly maintained.

Mr. O'SULLIVAN said, that as his county had obtained so much notoriety during this debate, it would not be out of place if he said a few words on the subject. He knew every inch of the property and every tenant upon it for the last 25 or 30 years, and he was prepared to say, without fear of contradiction, that though there were many rack-rented estates in Limerick, not one was half so rack-rented as the estate of Mr. Coote. The right hon. and learned Gentleman (Mr. Plunket) had said that the rents had not been raised for 25 years. But what were those rents? He would give some instances, and would mention names. Did the right hon. and learned Gentleman never hear of a tenant named Walsh, who had his rent raised from £4 an acre to £4 8*s*., or of Widow Duggan, evicted from her holding? There was no more rack-rented or persecuted tenantry in the County Limerick. Did the right hon. and learned Gentleman never hear of Widow O'Donnell, of the Abbey Farm, Kilmallock, who, for a farm of 22 acres, paid £96 a-year, the valuation being about £56? Was that a rack-rented farm? True it was that the rent on the farm had not been increased much during the last 25 years; but he (Mr. O'Sullivan) had known the family for 33 years as hard working, industrious and honest as any in the parish, and during all that time they had toiled from daylight to dark to pay the exorbitant rent and keep themselves alive. When their cattle died, neither Mr. Coote nor Mr. Townsend gave them any sort of help. They were left to the kindness of their neighbours, and still had to pay the rack rent; in fact, if he were to trace the mode in which the tenants were treated on the estate of Mr. Coote, he could show that they had been rack-rented for the last 40 years, in place of 25 years. As to the case of Murphy, he was very unfortunate, it was true. He lost 13 cows from distemper, and he paid £3 3*s.* an acre for land, out of which he (Mr. O'Sullivan) would defy the best Scotch farmer to make more than £4 4*s.* Out of that he had to pay his rent, county cess, and the poor rate, besides over two acres of waste, for which he paid full rent, and the remainder left for the family to live upon was about 10*s.* an acre. Then, after the bad year of 1879, this miserable tenant was evicted for a balance of some £12 and one year's rent. Murphy had to pay £140 for a farm the valuation of which was £71 6*s.* 4*d.* Mr. Townsend took possession of his crops, and these he put up to auction and realized all but a balance of £12; but, in addition to that, he asked for £30 for costs, and would not allow Murphy to enter until those costs were paid. Now, this was the model agent and the model landlord held up for their admiration by the right hon. and learned Gentleman! Why, of all the many mistakes the right hon. and learned Gentleman made in his life, he never made a greater mistake than when he held up Mr. Coote as a model landlord and Mr. Townsend as a model agent. It was notorious that Mr. Townsend, as agent for many properties, raised the rent on every property over which he was agent over and over again. Whenever a father died, Townsend put an increase on the holding for the son. When the son got married, a further increase was added. It was true that the rents on Mr. Coote's property had not been increased very much, because they had been advanced before to such an extent that the tenants to pay had to deny themselves the common decent necessaries of life. The raising of the rent any more must have resulted in the landlord getting nothing at all on the Ashdown property, the Massey property, and the Oliver property. He could tell a story of Mr. Townsend that would astonish the House. When a father died, he put on some 4*s.* or 5*s.* an acre rent, and he admitted as much in his evidence before the Land Commission. And he could show a model lease of Mr. Townsend's, granted for one year, which would show the restrictions placed upon the unfortunate tenant—how the tenant was forbidden to break ground without the consent of Mr. Townsend, and was compelled to lay down a certain amount in grass year by year. He could give names, and did not rely on generalities. He could give the particulars of the letting to a tenant named Cahill for 18*s.* or 19*s.* an acre of a holding that half the year was flooded with water. With energy and capital he drained and improved the land, and this model agent raised the rent 6*s.* or 7*s.* an acre, until finally, from 19*s.*, it was advanced to £2 1*s.* 9*d.* an acre. Such had been the tyranny practised by Mr. Townsend towards the tenants on those properties, that at last they would have nothing more to do with him, and declared they would rather pay the rack rent into the bank for the landlord than pay Griffith's valuation to the agent; and so writs were going about the estate like snowflakes. Arrests were being made in a most arbitrary and reckless fashion. Instead of "village ruffians" being the persons arrested, they were often respectable farmers and shopkeepers, and, in one recent case, a bank official. He had just received a telegram from the parish priest of Kilfinane, stating that three men in Kilfinane had been arrested that day. He believed that for denouncing the proceedings of this agent, Father Sheehy and these three men had been arrested. He might just mention that since the passing of the Act, while Mr. Kennedy, the magistrate, resided in the district, no man was arrested; but since Mr. Lloyd had come to reside there, and had control over the place, seven persons had been arrested in seven days. If the Government went on like that, he was afraid he would have no constituency at all when he returned. He thought the matter was far too important to bring within the compass of one day's debate, and he should, therefore, move the adjournment of the debate.

Mr. CALLAN seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. O'Sullivan.*)

Mr. GLADSTONE: Sir, I shall not proceed at any length, as I see the clock warns me that only a few minutes are at our disposal; but I cannot allow the Question to be put without emphatically protesting against it. This Motion purports to be a Motion for discussing the conduct of the Executive Government. The charges against the Executive Government have been stated over and over again. The charges with respect to Mr. Dillon have been discussed on former occasions at great length, and the whole of last Friday night was spent in discussing the charge with respect to the arrest of Mr. Sheehy. The hon. Gentleman who made the Motion has had an opportunity of making his statement. Those who have supported the Motion have, for the most part, entirely abandoned the case against the Executive Government, and have made this a general debate on the conduct of the landlords of Ireland. I submit that in the commonest justice the House should be allowed to go to a division; and I shall not hesitate to place it on record that if hon. Members, by pressing this Motion, prevent the House from going to a division, they will do so because they dare not take that opinion of the House which they profess themselves anxious to have.

Mr. PARNELL: Sir, I wish to point out to the Prime Minister, in the very few minutes at our disposal, the fact that only one Member—with the exception of a very few words which were hurriedly addressed to the House by the hon. Member for Limerick (Mr. O'Sullivan)—only one man belonging to the Party who have brought forward this Motion has had an opportunity of stating our case against the Government in the light of publicity. Now, I ask that the right hon. Gentleman shall give us an opportunity of replying to the speech of the right hon. Gentleman the Chief Secretary for Ireland. The Coercion Act was obtained from this House under false pretences. The Prime Minister, by the strategy which he adopted on that occasion, closed the mouths of Irish Gentlemen. You have not got "urgency" now, and you are not likely to get it; and I say that we dare to claim of this House the right of putting our case fully before the country, and we shall insist upon that right.

Mr. CALLAN thought the speech of the Chief Secretary for Ireland furnished an ample vindication of the course which he (Mr. Callan) had felt it be his duty to take on the previous evening. He wished to add that the right hon. Gentleman had made no allusion to one portion of his Circular of which complaint was most strongly made.

And it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

House suspended its Sitting at Seven minutes to Seven of the clock.

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House resumed its Sitting at Nine of the clock.

## MOTION.

### CROWN LANDS (WALES).

MOTION FOR A SELECT COMMITTEE.

Mr. PUGH rose to move for a Select Committee to inquire into the management of the Crown Lands and Hereditaments in Wales, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock.

# HOUSE OF COMMONS,

*Wednesday, 25th May,* 1881.

MINUTES.]—Public Bills—*Ordered—First Reading*—Parliamentary Elections and Corrupt Practices (Consolidation) * [176]; Freshwater Fisheries Act (1878) Amendment * [177].

*First Reading*—Elementary Education Provisional Order Confirmation (Clay Lane) *.

*Second Reading* — Removal Terms (Scotland) [8]; Lunacy Law Amendment [56]; London City (Parochial Charities) [13], *debate adjourned.*

*Select Committee* — Maintenance Law Amendment * [110], *nominated;* Bills of Sale Act (1878) Amendment * [104], *nominated.*

*Committee—Report—*Newspapers* [154].
*Report—*Water Provisional Orders* [146].
*Considered as amended—*Gas Provisional Orders* [147].
*Withdrawn* — Tithe (Extraordinary Charge) [29]; Solway Fisheries (Scotland) [141].

## MOTION.

## COMMITTEES (ASCENSION DAY)—THE "COUNT-OUT" ON TUESDAY.

**Mr. CHILDERS** said, that on behalf of the Prime Minister, who was not able to be present, he begged to ask the leave of the House to move, without Notice, a Motion, Notice of which would have been given last night but for the "count-out" at 9 o'clock. The Motion was—

> "That Committees shall not sit To-morrow, being Ascension Day, until Two o'clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House."

Some time ago, exception was taken to the Committees only sitting two hours on Ascension Day; but when the alteration was made, and they were allowed to sit four hours, opposition ceased, and the Motion had been passed without remark. He trusted, in the circumstances, the House would allow him to make the Motion.

Motion made, and Question proposed,

> "That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House."—(*Mr. Secretary Childers.*)

**Sir STAFFORD NORTHCOTE** said, he had no objection to the Motion.

**Mr. ARTHUR ARNOLD** said, before this Motion was agreed to, he wished to call attention to the circumstances under which the House was counted out on the previous evening. At 1 minute past 9 o'clock there were 36 Members present —with one exception, independent Liberal Members—to take part in the discussion of a very important Motion relative to the Crown Lands to be brought forward by the hon. Member for Cardiganshire (Mr. Pugh). He thought the Members in that part of the House were entitled to the respect of the whole House, because they represented a larger number of the electors in the United Kingdom than Members sitting in any other part of the Assembly. He was one of those who spent a large part of his time in the House in supporting the Government; and while he was happy to do so, having unbounded confidence in them, yet he felt that the confidence which had been displayed in that part of the House demanded some return from the Government. He did not ask the Government, as was sometimes done, to keep a House for the Motions of hon. Members on the rare occasions on which they could bring them forward; but, seeing that they were prepared on the previous night to keep a House for themselves, and that if reasonable grace of 5 or 10 minutes had been allowed before the Motion for a "count" was made there would have been 60 Members present, they were entitled to some support from the Government. There were 32 Members of the House who were Members of the Government; and whilst he felt strongly that the illustrious Statesman at the head of the Government devoted only too large a share of his time to attendance in the House, and whilst he regretted to see the right hon. Gentleman so constant in his attendance, yet he was surrounded by younger and stronger men, whose attendance it was not too much to expect on an occasion when 36 of their independent and devoted supporters were present in reference to a subject which, he could say, having given some attention to it for 20 years, involved a saving to the country of, at least, £50,000 a-year. So far as he observed, only one of the 32 Members of the Government was present on the previous evening when the House was counted out; and it would have been becoming on the part of the Government if, at least, four Members had been in their places on such an occasion, so that his hon. Friend might have been enabled to proceed with his Motion.

**Mr. MACFARLANE** reminded the House, that on Tuesday, April 5, the House was counted out at 7.30; on Tuesday, May 10, at 8.45; on Tuesday, May 17, at 8.45; and on the previous night at 5 minutes past 9. He was on his way to the House, and was going upstairs when he met hon. Members coming down, announcing, with great delight, that there had been a "count-out." He wished to call attention to the deplorable waste of public time in consequence of these proceedings. If the subjects brought forward on private Members' nights were so unimportant that it was not necessary or desirable to keep a

House, the Government should appropriate those nights for some useful Business. It was quite evident that at present the nights devoted to private Members were practically wasted.

Sir WILLIAM HARCOURT said, he was afraid he did not come within the description—"young and strong Members of Her Majesty's Government." He wished, however, to acknowledge the considerate way in which the hon. Member for Salford (Mr. Arthur Arnold) had spoken on this subject, especially in his references to the Prime Minister. The whole House would sympathize with the desire to spare the Prime Minister attendance on the House as much as possible. He asked the hon. Member to remember that Tuesday night was rather exceptional, as the House had been occupied till 4 o'clock in the morning, and also with a protracted and somewhat anxious discussion during the earlier part of the day. Then, what took place in the evening was a little bit of sharp practice in the way in which the House was counted out, as the earliest opportunity was taken after the Evening Sitting. If an allowance of five minutes had been given, no doubt, more Members would have been on the Government Benches. The Motion to "count" did not come from that side of the House, nor from the Benches opposite, but from a Gentleman who frequently counted the House. He was quite sure that the hon. Member for Salford did not wish to impute to the Government any desire to prevent discussion on the important matter that was to have been brought forward; and he wished to put forward a plea on behalf of the Government. His hon. Friend said there were 30 odd Members of the Administration who had seats in the House. That left 610 Members who were not Members of the Administration; and he did think it a little hard that those 610 Members did not undertake the function of making and keeping a House on a private Members' night. No doubt, it was the duty of the Minister who was in charge of the particular subject to be discussed to be in attendance. The labours of Members of the Administration were becoming from day to day greater; and he, for one, felt that they were becoming almost intolerable. A Minister began his day's work at 9, and ended about 2 o'clock in the morning. That was 17 out of the 24 hours. He ventured to say, from what he knew of the humanity of the House, that hon. Members would not wish to impose such hours of labour on any other class of Her Majesty's subjects; and he was afraid they would require to have a Bill for Her Majesty's Government somewhat like the Workshop and Factory Bill. He was not at all in favour of "counts-out," and this was the first occasion on which he was not present when the House had been counted out this Session; and, considering the exceptional circumstances connected with the "count-out," he hoped his hon. Friend the Member for Salford would not think Her Majesty's Government had culpably neglected their duty.

Dr. CAMERON said, that, as in the case of the policeman in a popular opera, "taking one consideration with another, a Front Bench life is not a happy one." He did not blame the Government for not being present last night; but he wished to point out that unless some assistance was given by the Government in making a House on Tuesdays and Fridays, when there had been Morning Sittings for the transaction of their own Business, private Members would not so willingly allow the Morning Sittings to take place. He hoped this consideration would weigh with the Government in the future.

Sir STAFFORD NORTHCOTE said, he had risen previously to support the proposal of the Secretary of State for War with regard to the usual arrangement made as to Committees on Ascension Day; but, with respect to the conversation that had taken place upon the "count-out" on the previous night, he wished to say that nobody, of course, could expect that those Members of the Government who were so very hard worked as the Prime Minister, the Home Secretary, and other Members of the Cabinet, should be always in attendance upon short notice, and at an inconvenient time. They did their work with very great conscientiousness and with very great labour. The House was perfectly sensible of the force of the appeal made by the Home Secretary upon the present occasion. But there were other Members of the Government who were really not in that position, and who might be bound, if desirable, to make a House and keep a House. It was a hardship upon private Members, who had obtained by ballot a day some three or four weeks in advance for bringing forward Motions, that, for want of a proper attendance, they could not bring forward their Motions. He thought there ought to be a clear understanding that when arrangements were made to enable Members of the Government to take a Morning Sitting for Government Business, the Government should make arrangements somehow or other to keep a House in the evening, at any rate for a reasonable time, in order that private Members might bring their Motions forward.

Mr. PUGH said, that as he was the Member whose Notice of Motion was first on the Paper last evening, and as the "count-out" prevented him from bringing it on, he might state that the circumstances were exceptional. It was not merely private Members' Motions, but Government Business which was stopped last night. He thought that no part of the Kingdom had greater claims on the attention of the Government than the Principality of Wales; and as the subject of his Motion—Crown lands in Wales—was one of great interest in the Principality, he would ask the Government to take some steps with reference to an inquiry into the question.

Mr. CHILDERS said, he was afraid that "counts-out" were not altogether due to Morning Sittings. In a recent "count-out" which had not occurred after a Morning Sitting, Members of the Government, including himself, were in their places. On that occasion, the hon. Member for Wolverhampton (Mr. H. H. Fowler) brought forward the interesting subject of the National Expenditure; but as soon as that hon. Gentleman had made his speech, his Friends all went away and the House was counted out. That was an instance in which the Government had come down to keep a House. It would, he thought, be rash for the Government to undertake to keep a House on Tuesdays and Fridays. If the "count" had been postponed two minutes last night, he believed there would have been a considerable attendance of hon. Members.

Mr. WOODALL thought the Motion for changing the hours of Select Committees on Ascension Day was objectionable. The mere fact that it was in accordance with the usage of the House was not a sufficient justification for it; and if it were a new proposal, the House would hardly allow it to be adopted. He did not see why Ash Wednesday, Ascension Day, or the Derby Day should be allowed to interfere with the Business of the House. If Members wanted to go to church or to the Derby, let them go; but let the Business of the House go on. He would not allow the Motion of the right hon. Gentleman to be made without protesting against it as being quite unnecessary and causing a waste of time to the parties concerned before the Committees.

Mr. E. COLLINS contended that it was no part of the duty of the Government either to make or to keep a House on private Members' nights. Besides, when the House sat till 4 o'clock in the morning, some consideration was due to the Speaker and the officials of the House. There was nothing unreasonable under the circumstances of the "count-out," because if the subject for discussion was not of sufficient interest to attract 40 Members, the best thing to be done was for the House to adjourn.

Mr. CALLAN said, he hoped that the House, as an Assembly of Christian Gentlemen, would accede to the Motion made by the Secretary of State for War.

Mr. ILLINGWORTH thought that the proposal made by the Secretary of State for War was one on which the sense of the House should be taken. It meant that all Business in the Committees of the House should be suspended for two hours, and they were asked to observe a regulation which outside was not considered at all. There was no other part of the business of the country which was suspended for two hours on account of Ascension Day, and he did not see why the House should be asked to assent to its observance. How many Members of the Committees were likely to be found at church to-morrow morning? He thought no countenance should be given to the waste of public time in such a manner. This Assembly was not altogether composed of members of the Church of England, and members of that Church did a great injustice to regard harshly the opinions of those who did not belong to it. The right hon. Gentleman the Chancellor of the Duchy of Lancaster had spoken of the waste of time in Ireland by the observance of so many Saints' days; but they had better begin a reform in this House. If there was a minority of Members who regarded this observance in a conscientious light, the House would, no doubt, willingly dispense with their services; but, because a minority was of that feeling, it did not follow that the majority should also be bound by it.

MR. WARTON begged to remind the House of the strange admixture of two subjects they were discussing—namely, the Motion respecting Committee sittings on Ascension Day, and the "count-out" of Tuesday night. To the latter he did not so much object, having regard to the fact that the House sat until 4 o'clock in the morning, and, in his opinion, the Government were entitled to an acquittal in regard to it; but they ought to have given an opportunity to the hon. and gallant Member for South Ayrshire (Colonel Alexander) to bring on his Motion with respect to the Metropolitan Police. With reference to Ascension Day, he maintained that the wish of the 500 Churchmen and Roman Catholics in that House ought to be respected by the Nonconformist Members.

MR. DILLWYN said, he was glad that the hon. Member for Bradford (Mr. Illingworth) intended to test the sense of the House on that Motion. The practice of delaying Public Business on account of Ascension Day was comparatively of recent origin. The time of the Select Committees was valuable, and it ought not to be wasted. Moreover, the witnesses who appeared before them ought not to be kept in London at great expense any longer than was necessary. The Courts of Law did not adjourn on Ascension Day, and he did not see why the Committees should take any notice of the day by adjourning till 2 o'clock.

SIR JOHN R. MOWBRAY said, that it had long been the practice for the Committees of the House not to sit till 2 o'clock on Ascension Day; and there was nothing in the arrangement which should give umbrage to Nonconformists. It occasioned no loss of time whatever, because the Committees met at 2 and sat till 6 o'clock, instead of rising, as on other days, at 4 o'clock. Thus no extra expense or inconvenience was caused to witnesses.

Question put.

The House *divided*:—Ayes 58; Noes 41: Majority 17.—(Div. List, No. 213.)

## REMOVAL TERMS (SCOTLAND) BILL.

(*Mr. James Stewart, Dr. Cameron, Mr. Patrick, Mr. Fraser Mackintosh.*)

[BILL 8.] SECOND READING.

Order for Second Reading read.

MR. JAMES STEWART, in moving that the Bill be now read a second time, said: I do not think it will be necessary for me to occupy the time of the House at any great length. The main object of the Bill is to remove the inconvenience which the people of Scotland, and especially the working classes, have experienced in consequence of the diversity which exists throughout the country in the date of entry and removal from dwelling-houses. I may explain to the House that in Scotland the vast majority of leases date from Whitsunday to Whitsunday. At the time of the Reformation, and for some time after, Whitsunday was a movable date, as it still is in England and in many other places; but, in the year 1690, the Scottish Parliament, by their Act, chap. 39, and also by a subsequent Act in 1693, changed the date into a fixed one, and constituted the 15th of May as the legal Whitsunday term, both for payment of rents and for removal from land and heritages. Towards the end of the 16th century attention was directed to the fact that an error existed in the computation of time, so that about that period the calendar was found to be no less than 11 days behind the true time. The Roman Pontiff of the day gave an order in 1580 desiring that the calendar should be changed, so as to remedy this error. That change was adopted by most countries in Europe; but it was not till 1750 that the British Parliament adopted the change by an Act of *Geo.* II. c. 24, and, consequently, what was called the new style, as opposed to the old style, became a legal and established practice. When this Act became law, it followed that the tenant in Scotland who had entered upon his lease upon the 15th of May, according to the old style, would have been required, according to the new style, to vacate his premises 11 days before his full year's occupancy had expired. But the equity of the case seems to have established the practice by which, although the legal term for the payment of rent continued to be universally accepted as the 15th of May, the term for removal from lands and heritages, in the greater part of Scotland, was accepted as the 26th of May. I think, perhaps, there are two causes which may have tended to perpetuate this custom. The one is the inconvenience which both landlord and tenant must have experienced in collecting rents on the same date as, and amidst the confusion and bustle of, the removal. The other cause, I think, may be this—that the interval of 11 days, which would elapse between the 15th of May and the 26th, enabled the landlord, in case rent was not paid, to take legal proceedings under the Law of Hypothec. Had this custom been universal throughout Scotland, there would have been no call for legislation now. But the custom varies in numerous instances throughout the country, and the cause of that variance I am unable to explain. While the term for the payment of rent is accepted universally as the 15th of May, in Edinburgh, for instance, the removal term is the 25th of May; in Glasgow, and throughout the county of Lanark, it is the 28th of May; in the county of Aberdeen it is the 26th of May; and in the town of Aberdeen itself it is the 4th of June. It is manifest that this diversity must occasion immense inconvenience and annoyance to the working classes, and to tradesmen, who, from the vicissitudes of trade, or from other cause, find it their interest to remove from one district to another. Take, for instance, the case of a working man and his family living in Dumbarton, who find it desirable to remove either to Glasgow or to Greenock, neither of which is more, I think, than eight miles distant. He is obliged to leave his domicile in Dumbarton on the 15th of May, and he does not find his house in Glasgow ready to receive him till the 28th of May, or, in the case of Greenock, till the 26th of May. In the interval he is obliged not only to provide lodging for himself and his family, but also storage for his goods and chattels, at great trouble and expense, and in a manner which must subject him, I think, to grievous annoyance. The object of the Bill is to remedy this evil. The main portion of the Bill is contained in the 3rd clause, which provides that, in the absence of an express stipulation to the contrary, entry to and removal from lands and heritages throughout Scotland should take place at a uniform date. The clause does not apply to existing leases; and although it is not compulsory in its action, still the advantage to both landlord and tenant is so obvious that I have great hopes, if the House passes this Bill into law, that the stipulations of the clause will be readily and universally accepted by both landlords and tenants. By the clause the date of removal is proposed to be the 28th of May, and I have taken that date as being the one which, in my judgment, will cause least disturbance and inconvenience to those portions of the country which have a different date for their removal term. I find that in the county of Lanark, which has the 28th of May as its removal term at present, comprising, as it does, the large population of Glasgow, there is a population of not less than the quarter of the whole of Scotland; and I find also that the few counties in Scotland—I think only eight out of the 32—which have adopted the 15th of May as the removal term comprises a great deal less than a fourth of the population of Scotland; and therefore the remainder, who have adopted the 26th of May, it seems to me will not be put to any great or insufferable inconvenience by the change from the 26th to the 28th of May. For that reason, I have put into the clause the 28th of May as the least inconvenient for the class of people interested. While the great majority of leases, as I have said, begin and terminate at the term of Whitsunday, the practice of letting for quarterly terms is becoming in Scotland day by day more common. Recognizing this fact, the clause provides that entry to and removal from houses let for quarterly terms shall also be uniform, and I propose that that should be on the same day of each of the months in which the Scottish quarterly terms occur. The 4th clause defines the exact dates at which quarterly payments of rent should fall due; and the reason why I have thought it advisable to have a statutory definition of this is, that disputes seem to have arisen in various parts of the country as to the exact and proper terms of quarterly payments. The 5th clause deals with notice of removal in case of short leases. There being no express law in regard to this, the consequence is that in cases of dispute the Court has decided according to the view which the particular Judge may take—and these decisions have often been at variance one with another — an unsatisfactory state of things, which it is proposed to correct by making the notice of removal a statutory enactment. The 6th clause alters the mode in which these notices may be given. Hitherto the law has required that they should be served by an old-fashioned and cumbrous process—namely, posting the notice upon the door of the parish church. It is proposed that this troublesome and often expensive process should be dispensed with, and that, in future, a simple notice through the post by registered letter, addressed to the party entitled to receive the notice, should be held sufficient. These are the provisions of the Bill, which I feel convinced, from what I know of the feeling of the people of Scotland in the working districts, will, if passed into law, prove a great convenience in regard to their arrangements for accommodation and removal from their houses and dwellings. I trust that the House will agree to the second reading of the Bill, and I beg to move accordingly.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. James Stewart.*)

The LORD ADVOCATE (Mr. J. M'Laren): While, Sir, it has been brought to my notice that some of the countrymen of my hon. Friend and myself have complained that a sufficient share of the time of Parliament has not been given to the Business of Scotland, I think I may congratulate the Scotch Representatives on their good fortune in having obtained the first place in the Orders of the Day on two succeeding Wednesdays for the discussion of Bills relating to that country. The fortune of the ballot-box has brought up as the First Order of to-day a Bill of not very great importance, but representing a useful minor improvement in the law. I am sure that if it had been in the power of my hon. Friend, he would gladly have allowed the precedence which has been accorded to him by lot to have been given to some more important Bill; and I hope it will be understood out-of-doors that the Rules of the House do not admit of the consideration of the relative importance of the questions in determining the priority given to a particular measure of legislation introduced by private Members of Parliament. I hope I may, in connection with this subject, and without transgressing the Rules of Debate, deviate for one instant from the subject to say, with regard to those Scotch questions which have been tabled by the Government, although the exigencies of more important Business have prevented much progress from having been made with them up to this time, it is the full intention of Her Majesty's Government, before the end of the Session, to make progress with these measures, and do the utmost in their power to carry them. Now, with regard to this measure, I fully concur with what has been said by the hon. Member for Greenock as to the inconvenience which has resulted from the circumstance that, while the terms for payment of rent are uniform throughout Scotland, yet the term of removal from lands and houses varies in different localities. With regard to agricultural subjects, this variation may be of no great consequence, but in the case of houses a real inconvenience results to the poorer classes of persons, who migrate in search of work from one town to another, and who find that, after being dispossessed from their residences in one town, they are unable, without waiting for a considerable interval, to get possession of the house they are to occupy in their next place of resort. The Bill of my hon. Friend proceeds on the principle of adopting as the term of removal a day intermediate between the extreme limits which prevail in different parts of the country; and the only criticism which I will venture to make upon it is, that I think it would have been better if the Bill, instead of fixing the 28th of the month in each quarter, had fixed a day representing an equal interval of time subsequent to the legal term for payment of rent. For example, as the Bill stands, there is an interval of 13 days between the term for payment of rent at Whitsunday and the term of removal, while there is an interval of 17 days between the legal term of Martinmas and the term of removal. It will be for the consideration of the

House in Committee whether it would not be better to provide that an interval of 14 days or 15 days should not elapse between the terms of payment and removal at each quarterly period with reference to which contracts of tenancy are entered into. I venture to think that this measure may be recommended to the favourable consideration of the House as an improvement in legislation of the same character as those laws by which the various local weights and measures, and other denominations of quantity have been abolished, and a uniform system introduced for the United Kingdom. It is for the convenience of the country generally that matters which are determined by practice throughout the country should be determined as far as possible by uniformity. It is of very little consequence what the date of quarter day is, provided there is uniformity, so that parties who go from one part of the country to another shall not be embarrassed by finding a different form of practice prevailing from what they have been accustomed to. With regard to the 6th clause, I am aware that the present mode of serving notices of removal is antiquated and ineffective; and as the form of serving notices by registered letter has been extensively introduced in many recent Statutes improving legal procedure, I have no doubt it should be accepted in this class of cases. I shall not occupy the time of the House further upon this Bill. Considering that the whole of the preceding Wednesday's Sitting was devoted to a discussion regarding a very interesting subject of Scotch legislation, I think I express the feeling of my Friends from the North, as well as my own, when I say that we do not desire to interpose between the House and the discussion of several important questions relating to the laws and legislation of England, down in the Order Book in immediate succession to this Bill. I am very glad to be able to give my support to the measure of my hon. Friend, and I shall not further detain the House.

Mr. ORR-EWING said, he quite admitted that great inconvenience was felt in Scotland by the difference in the dates for entry into and removal from houses; but he objected altogether to the way in which the change was proposed to be carried out by the Bill before the House. He thought that Whitsunday and Martinmas should be what they really were—the 15th of May and the 11th of November. Instead of the proposals of the Bill, it would be better that there should be one uniform date in Scotland for entry and removal, and that should be the date on which rents and interest on money were uniformly paid throughout the whole of the country. He could not see why there should be any difference in the date. The hon. Member for Greenock (Mr. James Stewart) said it was inconvenient in the bustle of removal to pay rent; but they had the experience of some important counties in Scotland where Whitsunday was the date of removal as well as the date of payment of rent. This was the case in Lanarkshire and Dumbartonshire, where the custom had existed for a very long time, and no inconvenience was felt. The only inconvenience that was felt was when a person removed to Glasgow or to Greenock. He would not oppose the second reading of the Bill; but he would, in Committee, move that the dates 15th May, and 11th November, and 22nd February, and 2nd August, should remain as at present.

Mr. M'LAGAN said, he was of opinion that the hon. Member for Dumbartonshire (Mr. Orr-Ewing) had put his finger on the weak point of the Bill. They had four legal terms in Scotland, the 11th of November, the 15th of May, the 2nd of February, and the 1st of August; and here they were going to have a legal term on the 28th May, 28th November, and 28th February, and so on. Now, the whole course of legislation in Scotland had been to do away with those customary term dates. For instance, if a bargain was made on a particular day, say Whitsunday, it was held to be the 15th May, though one of the parties might have supposed it was the 26th of May, or what was called the old term; and if it were concluded on Martinmas, it was intended to mean the 11th and not the 22nd November. But here the Bill proposed a new term, which would cause great confusion. The reason for the existence of two dates at term time was the Law of Hypothec. House factors and landlords made their rents payable on the earlier dates, so that if the rents were not forthcoming they might seize the furniture before the day of removal. The Law of Hypothec had been abolished as regarded agricultural subjects, and he did not see how it should exist any longer as regarded house property in Scotland. The sooner it was done away with the better, and then all parties would be left to make their agreements as they thought proper. If they wanted to make sure of their rents, let them arrange to collect them a fortnight or so before the term of removal. He was not going to oppose the second reading of the Bill; but he would prefer that there should be no new creation of a new legal term in Scotland. Let them have uniformity and simplicity in their legislation.

Mr. JAMES STEWART, in reply, said, it seemed to him as if the speech of the hon. Member for Dumbartonshire (Mr. Orr-Ewing) sounded very much as if it were to this effect—"Let things remain exactly as they are in Dumbartonshire, no matter what may be the inconvenience with regard to Scotland in general." What the hon. Member suggested would, no doubt, exactly suit what at present existed in Dumbartonshire; but it was the desirability of making the change with as little inconvenience as possible to the population generally, that had led him to adopt the 28th of May as the most convenient term for removal. As to the remarks of the hon. Member for Linlithgowshire (Mr. M'Lagan) that the Bill would increase the number of terms, he begged to inform him that that was quite a mistake, because by this Bill the terms were absolutely decreased by no less than four in the course of the year. There were no fewer than five removal terms in Scotland existing, and they proposed to reduce that number to one uniform term.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## TITHE (EXTRAORDINARY CHARGE) BILL.—[Bill 29.]

(*Mr. Inderwick, Mr. Howard, Sir Edmund Filmer, Mr. Duckham, Mr. Arthur Vivian, Mr. Thorold Rogers.*)

SECOND READING.

Order for Second Reading read.

Mr. INDERWICK said, that as the Bill which was now before the House dealt only with a portion of the question respecting the abolition of tithe in regard to agriculture in England, it was not his intention to proceed with it. A Committee was sitting upstairs discussing the whole question. He should not ask that the Bill be referred to the Committee, but that the Order should be discharged; and when the Committee had considered the matter he should ask permission to introduce a measure.

Motion made, and Question proposed, "That the Order for the Second Reading be discharged."—(*Mr. Inderwick.*)

Motion *agreed to.*

Order *discharged;* Bill *withdrawn.*

## AGRICULTURAL HOLDINGS (WARNINGS TO REMOVE) (SCOTLAND) BILL.

(*Sir Alexander Gordon, Mr. M'Lagan, Mr. Barclay.*)

[Bill 51.] SECOND READING.

Order for Second Reading read.

Sir ALEXANDER GORDON said, that last Session, it would be in the recollection of the House, they had a very satisfactory discussion on this Bill. One of the Members of the Government then stated that the provisions of the Bill would be taken into consideration when the Government introduced their Bill for Great Britain with regard to land. This Session, however, the Government obviously could not have the opportunity to do so. He was, however, quite content with the assurance that he last year received from the Government, and he did not, therefore, intend going on with the Bill at present. What he proposed was that it should be postponed till the 20th July.

Second Reading *deferred* till *Wednesday* 20th July.

## LUNACY LAW AMENDMENT BILL.

(*Mr. Dillwyn, Sir George Balfour, Mr. Benjamin T. Williams.*)

[Bill 56.] SECOND READING.

Order for Second Reading read.

Mr. DILLWYN, in moving that the Bill be now read a second time, said, there was no class in the community which demanded more urgently the attention of the Legislature than those unfortunate persons afflicted with insanity. Yet the law seemed to him to treat them in a very cavalier manner. He had hoped that the Government would take this matter up; but, failing that, he had brought in a small Bill to meet pressing abuses. The whole law in this matter, however, required amendment. Our present system had gone upon wrong lines, inasmuch as it treated lunatics as a criminalclass rather than as an imbecile class. It treated them with reference to their care rather than their cure, and it was to the cure that the law should be directed. The number of lunatics was rapidly increasing. By the Report of the Commissioners, the number in 1859 was 36,762, in 1865 it was 53,177, and in 1880 it was 71,191. This showed the seriousness of the question. He was strongly impressed with the propriety of entirely separating curable from incurable lunatics, because many patients afflicted with curable lunacy were often rendered incurable by forced association with hopeless idiots and raving maniacs. But this involved a greater change than he felt able to attempt to deal with at present, and in order to remedy the present defects of the law he proposed that a better system of supervision should be instituted over all asylums for the accommodation of lunatics, that better security should be provided for the liberty of the subject than the law at present afforded, and that better accommodation should be provided for the class of lunatics who could afford to pay for it, instead of being required, as at present, to go into ordinary asylums with pauper lunatics, or to private asylums, where the interest of the proprietors to cure patients was not so great as to keep them. With respect to supervision of asylums, the Bill provided for the appointment of a paid Chairman for the Board of Commissioners. This he did on the recommendation of the Earl of Shaftesbury. It was desirable that a person should have his whole time and energy devoted to the subject, and he should be responsible for the performance of his duties by receiving a proper salary for his work. He believed that would give a great additional weight to the Commissioners, and would secure for their proceedings rather more responsibility than now existed for the direct control of the business, which was now practically in the hands of the Secretary. With regard to personal liberty, he admitted there were better securities in pauper asylums than in regard to other classes. In these asylums the inmates must be sent there by some public official, and in this respect they were in a better position than those able to pay. If a person wished to remove a relative, all he had to do was to arrange with some unprincipled keeper of an asylum—give him a sum of money—to ask him to secure a certificate of insanity from two medical men, and then the liberty of that relative was gone. Once inside the asylum, the inmate would find it almost impossible to get out. In the last Parliament he had to appeal to the Speaker with regard to the case of a Member of that House who was confined, and who, according to Dr. L. Robertson, would become permanently insane if confined and subjected to the treatment he was undergoing. He was talking of facts within the knowledge of the Speaker and others. After some trouble and appeals to the then Home Secretary, this Gentleman was released, and he was put under treatment entirely different from that to which he was subjected in the asylum. He was cured, and for two Sessions afterwards he sat and voted in the House as any other Member would. He had the curiosity to inquire, and he found that this Gentleman, who lived in Scotland, properly exercised all the duties of his position. Well, if these things were done "in the green tree, what would be done in the dry?" If a gentleman of wealth and position was restored to his position and properly treated only at the instance of high officials, such as the Speaker of the House of Commons, what happened when persons who had none to take up their case for them were improperly incarcerated in these private asylums? Surely it was the duty of the Government at once to intervene to amend the law with respect to such cases as this. He had no doubt such cases were of frequent occurrence—painfully and sadly frequent. He knew he should be pooh-poohed; but the question was one of the highest importance. He proposed by his Bill that, without exception, no one should be detained as a lunatic except upon an order of a justice of the peace. That was the first alteration he would make, and it was a most important one. No person ought to be detained except by order of some public authority.

He did not care very much what that authority was; if it were only a police constable it would be better than the present system. Then he would also provide that no person should be incarcerated except at the instance of a near relation or of some solicitor of repute. The case of wandering lunatics was also provided for. There was also provision that due notice should be given before the justice made the order, and that the order must be authorized by two medical officers, one of whom should be the medical officer of the district. Then there was the class of violent lunatics, for whom he would legislate in the same way as was done by the Scotch law, which had a system of emergency certificate which enabled persons who had paroxysms of lunacy to be detained for 24 hours, but for no longer period, except on the order of some competent authority. The discharge of lunatics was also by his Bill placed on a better footing. He proposed they should be discharged on the order of a Judge in Chambers, a stipendiary magistrate, or a County Court Judge, who should order two medical men to visit the lunatic and report on the case; and such Judge, after communicating with the Lunacy Commissioners, might order the lunatic to be liberated within ten days. The third and last point to which he would refer was the question of patients who were able to pay. Many persons were able to pay a moderate sum, and could not afford the private asylums. He knew he should be met by the argument of vested interests on the part of the keepers of private asylums; but he did not think such interests ought to be exceptionally respected. He did not wish to introduce compulsion in the matter; but he proposed that the justices should be enabled to raise money by way of Terminable Annuities for the reception in public asylums of those who could pay. There need be no difficulty, and such a scheme would, in the end, prove remunerative. Certainly the keepers of private asylums made handsome profits. He had nothing to say against those establishments, which, on the whole, were very well conducted. But, unfortunately, it was often no one's interest to procure the discharge of patients, and certainly it was the interest of the proprietor to keep them as long as possible. As things were in the public asylums, there was no distinction between paupers and those who paid, either in class, food, or treatment. He had received many letters on the subject, to one of which he would refer. The letter was written by a gentleman whose wife had become a lunatic, and who could not afford to pay the charges made in the private asylums. The lady had first to go to a workhouse, and was thence transferred to the asylum. The husband paid 9*s.* 8*d.* a week for her maintenance. But the lady was treated in all respects as a pauper, and the writer expressed his opinion that the fact of wearing a pauper's dress was alone sufficient to prevent her recovery. With every word of that letter he agreed, and he had made provision in his Bill for cases of that kind. He would refer also to the evidence of the Earl of Shaftesbury in 1859, which fully sustained the views which he had been advocating, especially as regarded the discharge of lunatics. The same noble Earl was examined before the Select Committee which sat in 1877, and stated that, though he should not now in all respects give the evidence he did then, he had seen no reason to change any of the opinions which he had expressed in 1859 as regards the objectionable principle of persons having an interest in the retention of lunatics being intrusted with the care of them. He thought the present system of inspection was also very unsatisfactory and inadequate, and he proposed to deal with that part of the question. He would give an illustration of the unsatisfactory state of things with respect to private asylums. He had been told by a gentleman of the highest position and character, who was well known to most Members of the House, that his wife having become partially insane he had sent her to a private establishment. This gentleman, having heard that his wife was better, and that she would probably improve still more if she returned home, determined to remove her. But he found that all sort of difficulties were placed in his way, and he was much startled to think what facilities he would have had for the wrongful detention of his wife if it had been his interest or his wish to get rid of her in that manner. He had indicated as briefly as he could the evils of the present system, which he thought were effectually dealt with by his Bill. The hon. Member concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Dillwyn.*)

Mr. FLOYER said, he approved of some of the provisions of the Bill, which could be advantageously amended in Committee. The subject of providing asylums for all classes of lunatics was one of great importance, and it was quite distinct from the question of the management of pauper patients. To provide accommodation for all lunatics above the pauper class would require a large extension of accommodation. The hon. Member for Swansea said that from the profit now made in these private asylums, those who provided those establishments would be recouped for their outlay; but he (Mr. Floyer) feared that, in the first instance, resort would be had to the county rates, and that proposal would hardly find favour with the ratepayers in these depressed times. In the great majority of cases the managers of private asylums were men of high character and position, and were not capable of being influenced by the inducement of high-paying patients to keep them longer than was necessary. Such cases might occur here and there. It was with regard to the admission into asylums of the class just above the pauper class that some changes might produce good results. In his own county, for instance, a step had been taken which had proved advantageous. Between £2,000 and £3,000 had been devoted to the erection in the asylum of 20 or 30 additional cells, which were appropriated to the reception of members of the class referred to, who were admitted at a charge of 10*s.* a-week. They were kept upon much the same footing, with regard to clothes and food, as the pauper lunatics, it being undesirable to make distinctions between the two sets of inmates. Another point which he thought should not be lost sight of was the importance of treating lunatics at as early a period as possible—that was to say, as soon as symptoms of insanity manifested themselves. He should be sorry to see any impediment placed in the way of the speedy admission of patients into county asylums; but the provision in the Bill of the hon. Member requiring that the certificate for the admission of a patient should come from the district medical officer would most probably, in many counties, cause such an impediment. The medical officer might live at a great distance from the residence of the patient, and be totally ignorant of the circumstances of his case—nay, he was not required even to see the man whom his certificate would relegate to a madhouse. He also objected to the proposal of the hon. Member with regard to the discharge of patients, for he held that it would be dangerous to give the power of discharging patients to two medical men from London, whose decision would not be subject to appeal. The proposal was defective in this, that it did not meet the difficulty of what was known as lucid intervals. Owing to this imperfection, there might be a great many persons let loose who ought to be under stringent *regimen.* For his part, he would strongly advocate the construction of asylums in which patients, not paupers, but coming from the class immediately above the pauper class, might be taken care of at a small weekly charge. The wealthy had the private asylums to which to send their insane relatives, and the paupers had the workhouse infirmary, where they were cared for out of the rates; but a man of this class, too poor to pay for the accommodation afforded to the rich, and too wealthy to come upon the rates, was without any such accommodation whatever. He thought they were indebted to the hon. Member for Swansea for bringing forward this Bill, and if it went into Committee he would endeavour to make it a more perfect measure.

Dr. CAMERON said, he wished to point out that the principles which had been advocated by the hon. Member for Swansea (Mr. Dillwyn) were the principles which had worked thoroughly well under the Scotch law. In Scotland there were a number of Royal Charter asylums, carried on by directors for philanthropic purposes, and they were under the control of medical men of high standing, who were paid salary, and who had no interest but in the cure of the patients. Patients were not admitted without an order from a sheriff. He must say he had a distinct preference for the order of a sheriff over that of a justice. The sheriff was a trained lawyer, whose whole training was against any abuse of the power committed to him, and in favour of a judicial and careful exercise of that power. The machinery in the Bill for the committal and discharge of patients was very much that which existed in Scotland at the present time. It was open to anyone to apply to the sheriff where they thought a patient was wrongfully detained, and the sheriff issued a warrant to make an inspection. If asylums could be got up in the same way in England as in Scotland that would get rid of the financial difficulty. All the suggestions in the Bill of his hon. Friend had been found perfectly compatible with the safe custody and proper treatment of lunatics, and that was a fact which he thought would recommend them to a practical Assembly like the House of Commons.

SIR HENRY HOLLAND assured the hon. Member for Swansea that many who sat on the Opposition side of the House wished the Bill every success. No one could read the Report of the Committee which had considered the subject of lunatic asylums without seeing that some alteration was wanted in the law. The principles of this Bill were such as would commend themselves to those who had studied the question, and the details could be settled in Committee. There were three points of special interest and importance in the Bill. The first object was to do away, as far as possible, with that part of the present system which gave a proprietor of an asylum an interest in keeping the patients under his care. It was undoubtedly the interest of proprietors of asylums to keep patients longer than was necessary; and, although he did not say that this interest had been greatly abused, he thought the temptation ought to be removed. No doubt, if private asylums were bought up by the justices under this Bill, liberal compensation should be secured to the proprietors of such asylums; and, upon the whole, the provisions of the 2nd section would, with some alterations, meet the case. The second object aimed at by the Bill was to secure a proper check upon the admission of a patient. The hon. Member for Dorsetshire commented upon this point, and raised a question as to the inconvenience that would be likely to arise if the relieving officer of the union or parish had to petition. Any practical difficulty, however, on this point could be considered and removed in Committee. The third object was to secure a simple mode of liberation from an asylum. The hon. Member for Dorsetshire, when criticizing this part of the Bill, appeared to think that the liberation order would be granted upon insufficient grounds, and without sufficient examination of the patient. But he had clearly overlooked the provisions of the 13th section, which provided for two separate examinations by two medical men at intervals of seven days, and made it necessary for the Judge or magistrate to communicate with the Commissioners in Lunacy, who must be acquainted with each case, and further provided for the expiration of 10 days from the production of the order before the liberation. As he believed the Bill was calculated to benefit not only the wealthy classes by protecting them against improper admission to, and detention in, asylums, but also the middle classes, who most required protection, he should heartily support it.

MR. COURTNEY said, that no one who had listened to the speech of the hon. Member for Swansea (Mr. Dillwyn) could help feeling great sympathy with much that he had uttered; and whatever might be the immediate result of the proposals, he was quite sure the labours of the hon. Gentleman would not be without fruit. At the same time they could not lose sight of the fact that investigations into cases of lunacy must always be subject to the hazard of mischance. The Select Committee on this subject had, however, reported that no case of miscarriage of justice in the committal of alleged lunatic persons had occurred for many years past. The hon. Member for Glasgow (Dr. Cameron) and the hon. and learned Member for Midhurst (Sir Henry Holland) had expressed their approval of the Bill; but they could, he thought, have scarcely examined the proposals which it contained with sufficient attention. If they had done so they would hardly have accepted those proposals as a basis of legislation without some qualification. Many of them appeared to him to be impracticable, and were hardly capable of being transformed into a practical shape in Committee. His hon. Friend who moved the second reading laid great stress on the proposal requiring the certificate of a magistrate; but under the scheme of the Bill the magistrate would have nothing whatsoever to do except to sign the certificate, and the Proviso requiring the signature of a magistrate made no mention of the apparently necessary condition that the magistrate should see the patient. [Mr. DILLWYN: It would be a record.] Yes; but it would be only the appearance of a public guarantee without the reality, and it might lead to much mischief. At present, a person fraudulently confined in a lunatic asylum had a right of action against the relatives or friends who put him there. Was it intended to remove that liability and responsibility from the shoulders of the relatives or friends and to transfer it to the magistrate? On the whole, he thought the machinery for regulating the admission of patients would rather weaken than strengthen existing guarantees, whilst the machinery for regulating discharge was uncertain in its action and difficult to understand. For instance, it was doubtful whether the author of the Bill meant to give the Commissioners in Lunacy a veto or not over the discharge of a patient. The gradual suppression of private asylums and the enlargement of the public asylums for the admission of paying patients was a subject of the highest interest. He entirely sympathized with his hon. Friend in seeking these two objects; but the propositions contained in the Bill were quite insufficient to bring them about. In the first place, how was this suppression of private asylums to be effected? Was there to be compulsory expropriation? [Mr. DILLWYN: No.] Then the liberty of bargain between the justices and the proprietors of private asylums given by the 1st clause was affected by the extraordinary regulation as to price contained in the 2nd clause; and he was persuaded that the justices would never exercise the power proposed to be given to them under those circumstances. He hoped that the private asylums would, in the course of time, die out. There was no vested interest in them, and the reception of paying patients at county asylums was even now established in some counties—Cornwall, for instance. As to the private lunatic asylums, which it was sought to suppress, they existed, for the most part, in the Metropolis or its vicinity; and if the Bill were to pass—one of the great objects of his hon. Friend being to establish public lunatic asylums throughout the country—a burden would be imposed on the rates of the Metropolitan counties, in order to carry out the great reform suggested in non-Metropolitan counties. He would also point out that there was nothing in the law to prevent lunatic asylums from being enlarged by the addition of private wings in those cases in which the authorities in a county were not unwilling that that should be done. In all the circumstances of the case, he hoped his hon. Friend would be satisfied with the discussion which had taken place, and that he would consent to withdraw his Bill, leaving the matter in the hands of the Government, who would be prepared, when there was time at their disposal for the purpose, to lay upon the Table of the House a measure not merely for the amendment of the law but for its consolidation—a Bill which would produce some of the Amendments aimed at by the hon. Gentleman, but which he would fail to realize under the provisions of his Bill. No doubt the hon. Member thought the Government had been slack in dealing with this matter; but the House knew the difficulty the Government had in dealing with any subject at present. He did not for a moment deny that the law was capable of amendment, and if the hon. Gentleman would only leave it in the hands of the Government, they would draw up a Bill and submit it to an early Session of Parliament. He could not recommend the House to receive the Bill as it stood, and he hoped the hon. Gentleman would withdraw it.

SIR R. ASSHETON CROSS said, he was glad to find it was admitted on the part of the Government that the Lunacy Law was capable of considerable amendment. For his own part, he had no doubt that in connection with several of the points which had been raised by the hon. Member for Swansea (Mr. Dillwyn), amendment was not only desirable, but absolutely necessary. Having had considerable experience of the operation of the law in one of the largest lunatic asylums in the country, of which he had been visitor for many years, he was enabled to confirm many of the grievances which the hon. Member had pointed out. In the first place, he did not think there were sufficient safeguards with regard to the admission of lunatics. In the asylum with which he was connected, he was perfectly satisfied that many cases had been admitted which ought not to have been admitted at all. He also thought that the law with regard to the release of lunatics was not satisfactory. He had himself, on many occasions, interfered, and had caused many patients to be discharged who, he was persuaded, ought not to have been detained. The question was a most difficult one, especially as regarded the admission of lunatics, because if a case of lunacy was only treated early enough there was almost a certainty of cure; and it was, therefore, sometimes a charity to put a person in an asylum, although, to an ordinary individual, it might appear very doubtful whether he was a lunatic or not. He concurred, to a great extent, in the views of the hon. Member as to the desirableness of gradually suppressing private asylums. He did not think it desirable that it should be even supposed that persons could be kept in confinement for purposes of private gain. On the other hand, it must be borne in mind that many recoveries were accomplished in these private asylums by reason of careful personal superintendence. As regarded the enlargement of asylums, his opinion was that many asylums were far too large. Medical men of eminence in connection with the treatment of lunacy had come to the conclusion that the massing together of people suffering from the disease was a positive evil. If they had 1,000 or 1,200 patients in one asylum, he believed that adequate personal supervision became impossible. He held that the number of patients in one asylum should not exceed 500 or 600. The subject under discussion was one with which he and the late Government had been most anxious to deal. When the Under Secretary of State for the Home Department, speaking for the Government, said he approved of all the principles contained in the Bill, he thought one of two courses would have been adopted—either to allow the Bill to be read a second time, and then to refer it to a Select Committee; or to bring in a short Bill dealing with the points upon which there was mutual agreement. He quite agreed with the Under Secretary of State that to consolidate the whole law on the subject would be an admirable thing to do. In fact, it was so admirable he was afraid it would not be done, because such an undertaking, while not of the first importance, would be one of magnitude, as they would find that any measure with this object would eventually be thrust out and indefinitely postponed in the pressure of other legislation. He therefore ventured to suggest to the Government that they should adopt one of the two courses he had indicated.

MR. DILLWYN said, he could not comprehend how any fault could be found with the draft of the Bill, seeing that in drafting it he had had the assistance of his hon. and learned Friend the Solicitor General.

MR. SPEAKER pointed out that the hon. Member was not entitled to make a second speech.

MR. DILLWYN said, he only wished to state that he could not accept the suggestion of the Under Secretary of State (Mr. Courtney) to withdraw the measure, and he must divide the House.

SIR WILLIAM HARCOURT said, the subject was one with regard to which, especially after the observations of the right hon. Gentleman (Sir R. Assheton Cross), who had just sat down, the House seemed agreed that something should be done; and the only question was how it was to be done. As to the proposal that the Government should introduce a short Bill on the subject, he was sorry to say the Home Office was full of short Bills; and it was absolutely impossible to find five minutes to introduce one. He hoped he might have some success by trying the experiment of sending them to the House of Lords, which was not very much occupied with Business. But he found that when they got there they were strangled. There was such a Bill in the House of Lords on the previous night (Charitable Trusts Acts Amendment Bill). It came to a bad end; and, therefore, there was no encouragement for the endeavour to get Business transacted there. He was afraid, therefore, that if the Government were to promise to pass a Bill dealing with the Lunacy Laws in the present Session, the promise would be a delusive one. But although the Government might not be able to bring in a Bill on the subject, they had no wish to prevent anyone else from doing so. That the Bill of the hon. Member for Swansea had a good object he did not mean to deny, though it might require a good deal of amendment. As to sending the Bill to a Select

Committee, he would point out that the House was already overburdened with Committees; but if his hon. Friend wished to take the second reading of his Bill, with whatever chance of amending and putting it in proper shape he might be able to command, the Government would not object.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## LONDON CITY (PAROCHIAL CHARITIES) BILL.—[Bill 13.]

(*Mr. Bryce, Mr. Pell, Mr. Cohen, Mr. Walter James, Mr. Davey.*)

### SECOND READING.

Order for Second Reading read.

Mr. BRYCE, in moving that the Bill be now read a second time, said, that in order that the Bill should be understood it was necessary to say a few preliminary words about the present state of the City of London and the condition of its Parochial Charities. The City of London was about a square mile in area. It contained within that area 108 civil parishes and 61 ecclesiastical parishes. The population had gone on steadily decreasing for many years. In 1860-61 it was 112,000; in 1871 it was 76,000; in 1881 it was 52,000; and at the same rate of decrease before long it would have gone down to some 10,000 or 15,000 people. The parishes were of two classes. A certain number—about eight—lying towards the outskirts of the ancient City, had in 1871 a population of more than 6,000 persons each. There were 100 parishes in the inner parts of the City, whose total population was in 1871 only about 35,000 altogether; and he thought it might be said that these had ceased to be parishes in the substantial sense of the word. In the outer parishes the population was still reasonably large for each parish; but in many of these inner parishes the population was counted, not by thousands or hundreds, but by tens; one of them only contained 32 inhabitants, and a considerable number under 100. The churches were, therefore, empty, and the parochial organizations had ceased to have any life. Nearly all these parishes had considerable endowments, which had come down from an early period, some of them even from the 14th century, and which had increased in value from precisely the same causes which had led to the decreased population. As the population had sought homes outside the walls of the City, so the value of these endowments, which mainly consisted of land and houses, had risen to an extraordinary height. The City was one of those instances in which Goldsmith's line was exemplified—

> "Where wealth accumulates and men decay."

The income of the endowments had risen from £67,000 yearly in 1865 to £105,000 in 1877; but even this vast sum did not represent the full value, because in many cases they had been badly managed, not corruptly but indolently or incompetently managed, and under good management the income might be doubled, and in 10 years the Parochial Charities might enjoy a revenue of more than £200,000 a-year. There was thus, taking the income at £105,000 and the population at 52,000, a sum of £2 per head per annum of Charity Funds for every resident in the City, or in the 100 inner parishes, whose population was under 25,000, £4 per head. In that state of affairs it might be imagined that the City would be full of philanthropic institutions, and that the rate of pauperism would be extremely low. But the facts showed that the state of the City of London compared not only unfavourably, but most unfavourably, with every other part of the Metropolis as to pauperism. The average for the whole of the Metropolis of paupers to population was 1 in 37; in the City it was 1 in 16. The expenditure on outdoor relief in the whole of the Metropolis was 1*s.* 2¼*d.* per head; in the City it was 4*s.* 4½*d.* per head, so that, so far as the poor were concerned, it would be better for them if this £105,000 yearly income were thrown over the Thames Embankment. How had this state of affairs arisen? This Charity money was administered and distributed by a very large number of independent bodies of trustees, by churchwardens, and by Vestries. Very nearly half of the total income was spent in what was called the ecclesiastical purposes. Such purposes included various matters connected with the repairs of the churches—the re-fitting and ornamenting them, warming them, and so forth. There were 61 churches for a population of

52,000 people, whereas 10 churches would be amply sufficient for the spiritual requirements of this population. Thus it would surprise no one that most of the churches were empty, and that the greater part of the money spent by the churchwardens was absolutely wasted. A good deal of these Church Charities went in various endowments for lectureships and sermons. There was a case of an endowment of £50 a-year for two services daily. Now, however, on Wednesdays and Fridays, the minister and clerk made their appearance at the hour of morning prayer, and having waited a due period of time, and finding that no person appeared, they went away. Another endowment was for a sermon to be preached in acknowledgment of the deliverance of England from the Spanish Armada; another for a sermon of thanksgiving for deliverance from the Gunpowder Plot. Both these sermons were still delivered. A payment was made to the clergyman for delivering them, and to the sexton for going to hear them; but he could not find that any other person had ever formed part of the congregation. He did not attribute any blame to the clergy, as they had done their best in the difficult circumstances in which they were placed; it was the state of the law which was to blame. A considerable part, estimated at £10,000 a-year, of these charity revenues was distributed in doles—petty gifts of bread, coals, blankets, and so forth. All the evidence showed that such doles, wherever distributed, were of the greatest imaginable evil to the community. It was as much a truth of economic science that doles tended to demoralize and pauperize their recipients as it was a truth of physical science that the breathing of sewer gas tended to produce disease. In the City people came sometimes to the morning services of some churches in order to get bread, and one clergyman had actually excused the system on the ground that it brought people to church who otherwise would not attend. In one of the parishes a churchwarden wanted to ascertain how the coal tickets distributed as doles went. He took the addresses of the people who applied, and having found that out of the applicants there were no less than 40 or 50 not known at the addresses which they gave, he came to the opinion that these people belonged to a class which seemed to be a well-known part of the population of the City—the class called "coal-hunters," who made it their business to get these tickets and afterwards sell them at a reduction to retailers of coals. In a large number of the parishes in which bread was distributed it was received by persons with regard to whose means of subsistence no inquiry was made, and many of these persons were actually at the time receiving outdoor relief from the Unions. Another mode in which the money was supposed to be expended was in the payment of apprenticeship fees; but as the custom of apprenticing had become almost obsolete in the City, more than £3,000 a-year was accumulating because youths could not be found to come and take an apprenticeship. A good deal was spent in the payment of poor rates, which was a gross misapplication of Charity Funds. There was a parish in Lombard Street which contributed out of its Charities £700 a-year to the poor rate, a charge which would otherwise be paid by the great banking-houses which were situated there. This was a pleasing instance of charity to the rich. There were two cases in which parishes spent £1,300 annually in the payment of poor rates out of such funds, and in another case the parish had the effrontery to borrow money for the repairs of the church, while, at the same time, they were spending their charity money in paying poor rates. A very large sum was spent in eating and drinking. Items for dining and refreshments at Vestry meetings and dinners at Greenwich and Richmond were of frequent occurrence. One parish expended £83 on a single Greenwich dinner. In another case £113 was thus spent on various entertainments, this being an instance where the parish contained only two inhabited houses, and in addition to expending this sum £60 was taken out of the Charity Funds, with which a service of plate was purchased, and presented to one of the churchwardens. He recollected the case of a parish in which there were two endowments in one parish, both originally of small amount. One was £1 6*s.* 8*d.* to be paid to some poor deserving scholar at Oxford or Cambridge University. That small sum of £1 6*s.* 8*d.* was still paid, and it was all that was given to the poor scholar. But in the other case 5*s.* was left to provide what the founder called a "love feast," at which parishioners who had quarrelled with one another should be reconciled on Maundy Thursday. That "love feast" was still given; but it was carried out in a manner more ample and generous than the simple Founder contemplated. From £60 to £70 was now annually spent on giving this feast at Richmond, and the persons invited were the rich people of the parishes, and among them were the secretaries of 12 public Companies who had offices or warehouses in the parish. Then there were salaries paid out of these charitable foundations to Vestry clerks, sextons, organists, organ-tuners, pew-openers, and a swarm of other officials connected with these parishes. Lastly, there were many miscellaneous Charities, such as the gift made for the benefit of poor fishmongers in Old Fish Street—there being no poor fishmongers there now; gifts of money for the ringing of church bells—a frequent kind of bequest; a gift for the ransom of Christians captured by the Barbary pirates, and a bequest for purchasing faggots for the burning of heretics. Most of these gifts were in house property. They were continually accumulating, and being spent in ways sometimes not in accordance with the wishes of the Founders, while in other cases it was impossible now to carry out those wishes. He believed two of the City parishes appeared to have taken money out of their Charity income to pay for the prosecution of the Rev. Pelham Dale. Perhaps they looked on this as what the lawyers called a *cyprès* application of the funds bequeathed for the combustion of heretics. There had been comparatively few cases in which the trustees had sought to benefit themselves out of these funds; and it was rather the state of the law than the trustees, whose fault had been apathy, not malversation, that must be blamed. Three remedies were needed to set right this extraordinary and anomalous state of affairs. In the first place, the money ought to be made to follow the people, and taken from the City, where it was no longer useful, to be poured forth over the whole Metropolis. A certain portion might properly be allowed to remain to carry on any work which it beneficially could in some of the City parishes; but by far the larger part would find its rightful application in serving the 4,000,000 of Greater London. In the second place, a change in the law was requisite in order to alter the destination of the funds, as many of the original purposes could no longer be, and others ought no longer to be, carried out. Thirdly, it was desirable that the numerous bodies of trustees, Vestries, and churchwardens, who had the management of these funds, should be consolidated, because so long as they acted independently there must necessarily be great and wanton waste. The object of the present Bill was to give effect to these remedies. The Bill appointed three paid Commissioners to inquire into the Charity property, directing them to pay due regard to vested interests, so that compensation might be provided where necessary. They were also to be empowered to prepare schemes for the administration of the Charities. As regarded the larger parishes, all the charitable funds there were to continue to be applied within the limits of those parishes. A distinction was drawn between ecclesiastical and non-ecclesiastical funds, and it was provided that all such ecclesiastical purposes seemed still beneficial within the limits of the City were still to have the encouragement of the Charity Funds, the balance to be applied, under the management of the Ecclesiastical Commissioners, to ecclesiastical purposes throughout the Metropolis. The balance of the non-ecclesiastical funds—after providing for such existing objects as were still substantially beneficial—was to be applied to various admittedly useful purposes in the Metropolis, such as the promotion and improvement of the education of the poorer inhabitants, but not so as to relieve the education rates—for example, by founding exhibitions by which promising boys and girls might be furthered in their career, or by technical instruction; the establishment and maintenance of Libraries, Museums, Art Collections, open spaces and recreation grounds, and provident institutions for the benefit of the poorer classes. It had also been suggested that something might be done with regard to artizans' dwellings; and generally it was proposed to leave the Commissioners a pretty wide discretion as to the inclusion of other purposes than those expressly named. The machinery provided for the purpose of carrying out these objects would be somewhat similar to that under the Endowed Schools Acts. It would be objected, no doubt, that the Bill interfered too much with the directions of "Founders;" but the question really narrowed itself to this—whether the intentions and regulations of the Founders were to be observed in the letter or in the spirit. Could any worse honour be paid to a Founder than to restrict the application of his charity where it had once been needed, but was now superfluous or mischievous? Some of the trustees seemed to suppose that they possessed a vested right and interest to administer charitable funds, just as if those funds were their own individual property; but he would remind them that the Charities did not exist for the administrators, but the administrators for the Charities. A trustee had no private right of property; he was really a public officer, placed there to manage property from which he was not allowed to derive any profit. He and those who had brought in this Bill with him had hoped that the trustees, feeling the indefensible position they occupied, would have regarded them as friends, and have met them half-way; but the only suggestion they had made was that the initiative in any reform should be taken by the trustees. He thought they had waited long enough already for the initiative of the trustees. These were not the days when even the Corporation of London, great as it was, could afford to set itself against reasonable proposals of reform; and he therefore hoped that the spokesmen of the Corporation in that House would not persist in the opposition they threatened. If the Bill were read a second time, he would move that it be referred to a Select Committee, in order that they might fairly consider the whole subject. The object which he and those with whom he was acting had in view was to benefit 5,000,000 people by opening to them new avenues to knowledge and a new range of pure and wholesome pleasures. The hon. Member concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Bryce.*)

MR. R. N. FOWLER said, he agreed with the hon. Member as to the necessity of applying some remedy to the undoubted evils he had referred to; but declined to accept the Bill as the best means of attaining the object in view. It was, for instance, a very questionable step to appoint paid Commissioners, who, with the staff of secretaries and clerks, would run away with from £7,000 to £10,000 a-year, when the various matters in question might be left to the already existing Charity Commissioners to deal with. Besides, steps had already been taken by the trustees in the direction indicated by the hon. Member, though their progress was not, perhaps, so rapid as the hon. Member would wish. Lastly, it was to be remarked that the Bill consisted of no fewer than 44 clauses, on which a great many Amendments might be moved, so that if proceeded with it would certainly take up a great deal of valuable time. The trustees were willing to meet the hon. Member who introduced the Bill in a liberal spirit, and really this measure was not necessary. For these reasons he thought it advisable to move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Robert Fowler.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR WILLIAM HARCOURT said, he rose on the part of the Government to give a most cordial support to the second reading of the Bill. A more conclusive case had never been shown than that which had been made out by the hon. Member for the Tower Hamlets, and he did not find that any answer had been made to it by the hon. Member who moved the rejection of the Bill. The hon. Member admitted the evil, and said that the only question was as to the mode of remedying it. But his hon. Friend had proposed to send the Bill to a Select Committee; and, therefore, all the objection that had been taken to it as regarded the time and method of proceeding with it was removed. The proposal of the hon. Member opposite was that the subject should be dealt with by the Charity Commissioners. Considering the quarter from which the suggestion came, he was a little surprised. He had himself applied to the Charity Commissioners to know whether they could deal with those gross and scandalous abuses in some cases, and in many cases of lamentable misapplication of money, for reasons for which no one was to blame; but they said they could not deal with them because there were certain clauses in the Act which would prevent their doing so. As soon as he became aware of the difficulties in the way he made it his business, with the assistance of the Charity Commissioners, to prepare a Bill which would enable them to perform the duties for which they were constituted by Parliament. What did the Corporation of London do?—that body with which the hon. Member opposite was connected. They set to work to canvass every town in the country to prevent the Charity Commissioners having the power to better govern and dispense the Charities of London. Piles of petitions were presented against the proposal. Then came down the worthy Alderman and said—"Let us throw out the Bill, and let us hand it over to the Charity Commissioners"—a body which the Corporation of London took care should not deal with the subject. He ventured to point out to the worthy Alderman that it was not advantageous to the Corporation of London that they should always take the lead in endeavouring to defeat any proposal for the reform of abuses in connection with the Charities of London. Very often, perhaps from no evil motive, but from negligence and carelessness, these funds actually disappeared from the hands of trustees, yet the Corporation resisted and defeated the proposal to appoint a public body to control their administration. He would have thought that there could not possibly have been a proposal which would have more commended itself to every reasonable man. He had, therefore, been obliged to abandon the hope that the Charity Commission could do this work, and he regretted that the Corporation of London had been so successful in their endeavours to limit the action of that body not only in London, but throughout the country. With regard to this particular question of Charities, however, there was no doubt that even if the Charity Commissioners did possess the necessary powers they would be a long time, with the other multifarious duties they had in hand, in dealing with it, and the appointment of a separate Commission was accordingly recommended. The Commissioners under this Bill would only be appointed temporarily, in order to investigate, in the first instance, the character of the property which was to be dealt with. This might be done in a year or two, and, consequently, the expense would be very slight. The permanent body to be afterwards constituted would, he understood, be an unpaid body, and therefore the objection on the ground of expense could not be sustained. The question the House had to decide was whether these abuses were to go on, and whether they would allow money intended to benefit the public to be dissipated altogether, or to be diverted for purposes of no use whatever. He was sorry that the Government were unable, from causes which the House well understood, to take up this subject themselves; but it was some consolation for them to know that it was in such competent hands. Everything the Government could do to further the Bill would be at the disposal of his hon. Friend and of the other Gentlemen whose names were on the back of the Bill.

Mr. PELL said, the Charity Commissioners could not adequately perform the work. They had not the requisite staff; and he doubted whether they would have sufficient time to bestow on this important and distinct matter. A more drastic reform was required than they could expect to have at the hands of the Charity Commissioners. He would say to many of his hon. Friends on that side of the House—"Have a care how you resist proposals for reform, as you may make as grievous a mistake as you did 40 years ago on the question of Protection, and may damage yourselves permanently." This Bill was a very moderate one, and he was glad to say that it would receive the support of many Conservatives.

Mr. CUBITT said, that, as a Member of the late Royal Commission, he regretted the Government had not dealt with this question; but, failing them, he desired to express his thanks to the hon. Member for the Tower Hamlets for having introduced this measure. In supporting the second reading, however, he wished to guard himself against being supposed to approve every proposal embodied in the measure. As regarded the ecclesiastical portion of the Bill, he thought that if more of the benefices in the City were amalgamated a large amount of ecclesiastical funds might be diverted to the benefit of other parts of the Metropolis. He also thought that some advantage would be derived from making the ecclesiastical parishes and the civil parishes equal in number. At present there were in the City 60 of the former, while there were 107 of the latter; and in all these the whole parochial machinery, including a paid Vestry clerk, was kept up with great unnecessary expense. He did not approve of the proposal as regarded the School Board Members of the Commission, nor the prominence given to education in the purposes to which the surplus funds should be applied. There were many objects to which money could be applied as well as education, such as the preservation of open spaces, and in which, when once it was spent, it would be spent for ever, and would thus save the expense of administration.

MR. ALDERMAN COTTON said, he was opposed to centralization, and was surprised at hon. Gentlemen opposite introducing a measure which would take the administration of these funds out of the hands of the people and place it in the hands of the Government. The Government had quite difficulties enough to settle already, and quite enough to do. He regretted these constant attacks which were made upon the Corporation of the City of London—a Corporation which had always been liberal in the past, and had done its best for the general good. The Corporation of London had nothing whatever to do with the Parochial Charities. When these parochial trusts were in the hands of the Vestries the amounts to be distributed were often so small that little good could be done with them; but if the scheme which was being promoted for consolidating the whole of the Charities were carried out about £100,000 a-year would be available for charitable objects, and with such a sum something great and useful might then be done. The proper way in which these trusts should be administered was by unpaid Commissioners, and by leaving them in the hands of the people. The power of the Charity Commissioners was immense; and he hoped that, whatever might be their feeling as regarded the Corporation of London, hon. Members would persist in their opposition to this Bill.

MR. T. COLLINS said, he did not desire to oppose the second reading of the Bill; but thought that when it was sent to a Select Committee it would have to be very considerably altered. The principle of the measure, if adopted, would affect not only the City of London, but different parts of the country. So far as the Bill extended the area of the Charities, it was a wise one; but he thought that the Charities should be ranged under the heads of Ecclesiastical Charities, Educational Charities, and Charities for bodily wants. He had always held that money left for bodily wants ought to be applied to that purpose, and no other. He thought, moreover, that the Metropolitan Board of Works should be represented on the Board, and have a voice in the management of these Charities.

MR. WARTON said, he should oppose the Bill. The Government had prevented a day Census of the City from being taken, and that question was intimately connected with this one, for there could be no doubt that when the wealthier people in the City left for their homes at night, the residue was mainly made up of comparatively poor people. [*Cries of* "Divide!"] He was going to reply to observations that had been made on the Bill. The philosophical Radical objected to all charity whatever; but the time might come when other philosophical Radicals might arise who would have a different set of ideas on the question. ["Divide!"]

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

## SOLWAY FISHERIES (SCOTLAND) BILL.

(*Mr. Ernest Noel, Mr. J. Maxwell-Heron, Mr. Anderson.*)

[BILL 141.] SECOND READING.

Order for Second Reading read.

MR. ERNEST NOEL, in moving that the Order for the second reading of this Bill be discharged, said, the Solway Fisheries Act was a private one, but had been amended once or twice by a Public Act; and he had, therefore, thought it might be amended again by a Public Act; but the Speaker had informed him that this could not be done by a Bill introduced by a private Member. He therefore begged to express the hope that the Government would take this question into their consideration, and remove what was a real grievance in that part of the country.

Motion made, and Question proposed, "That the Order for the Second Reading of the Bill be discharged."—(*Mr. Ernest Noel.*)

Motion *agreed to.*

Order *discharged;* Bill *withdrawn.*

## *MOTIONS.*

### PARLIAMENTARY ELECTIONS AND CORRUPT PRACTICES (CONSOLIDATION) BILL.

On Motion of Mr. HARDCASTLE, Bill to consolidate the Law of Parliamentary Elections and Corrupt Practices therein, *ordered* to be brought in by Mr. HARDCASTLE and Sir ALEXANDER GORDON.

Bill *presented,* and read the first time. [Bill 176.]

### FRESHWATER FISHERIES ACT (1878) AMENDMENT BILL.

On Motion of Mr. STUART-WORTLEY, Bill to amend "The Freshwater Fisheries Act, 1878," *ordered* to be brought in by Mr. STUART-WORTLEY and Mr. DODDS.

Bill *presented,* and read the first time. [Bill 177.]

### MAINTENANCE LAW AMENDMENT BILL.

Select Committee *nominated* on the Maintenance Law Amendment Bill:—Mr. FINDLATER, Mr. FIRTH, Mr. COMPTON LAWRANCE, Mr. MELDON, Mr. PLUNKET, Mr. SOLICITOR GENERAL for IRELAND, Mr. STUART-WORTLEY, Mr. WHITLEY, and Mr. A. M. SULLIVAN; Three to be the quorum.

### BILLS OF SALE ACT (1878) AMENDMENT BILL.

Select Committee *nominated* on the Bills of Sale Act (1878) Amendment Bill:—Mr. ATTORNEY GENERAL, Mr. LEWIS FRY, Mr. STAVELEY HILL, Mr. HENRY H. FOWLER, Mr. DAVID MAC IVER, Mr. PATRICK MARTIN, Mr. MONK, Mr. W. N. NICHOLSON, Mr. PEMBERTON, Mr. PICKERING PHIPPS, Mr. SLAGG, Mr. Serjeant SIMON, Mr. BENJAMIN T. WILLIAMS, Mr. WHITLEY, and Mr. STUART-WORTLEY:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at five minutes before Six o'clock.

# HOUSE OF COMMONS,

## *Thursday, 26th May,* 1881.

MINUTES.]—NEW MEMBER SWORN—William Farrer Ecroyd, esquire, *for* Preston.

PUBLIC BILLS—*Ordered—First Reading*—Summary Jurisdiction (Process) * [179].

*First Reading* — Board Schools (Scotland) Teachers * [178].

*Committee*—Land Law (Ireland) [135]—[*First Night*]—R.P.; Alkali, &c. Works Regulation [119]—R.P.

*Committee—Report*—Customs and Inland Revenue [136]; Bankruptcy and Cessio (Scotland) (*re-comm.*) * [174]; Petty Sessions Clerks (Ireland) [41].

*Considered as amended*—Water Provisional Orders * [146]; Newspapers * [154].

*Third Reading*—Gas Provisional Orders * [147], and *passed.*

## *QUESTIONS.*

### SALE AND EXPORTATION OF ARMS AND AMMUNITION—SALE OF "OLD STORES."

MR. MAC IVER asked the President of the Board of Trade, Whether he is in possession of any information, confirmatory or otherwise, in regard to the following statements which appeared some time ago in the "Ironmonger" newspaper:—

"Provincial Trade Reports, Birmingham.—Arms and Ammunition.—The troubled state of Ireland has given rise to an active inquiry for weapons for defensive purposes as well as for some which, it is feared, are intended for aggressive use. Several orders for guns and pistols for landlords' defence organisations have been placed here during the last month or two, and a large quantity of bulldog and other revolvers, both for Government and private use, have been despatched to Ireland since the commencement of the Land League agitation. * * * Orders of another character for old military rifles for Ireland have also been plentiful lately, and it is calculated over 5,000 Snider Enfields, which were sold by the Government a few years ago as 'old stores,' at an average of 3*s.* or 4*s.* a piece, have been bought up since Christmas by supposed agents of the Irish land agitation at from three to four times their former cost. Stocks of old guns have thus been relieved, but at considerable risk to the peace of the Country. * * * In anticipation of the outbreak in the Transvaal, high class sporting rifles were in good request last autumn for Natal and Delagoa Bay, where the Westley-Richards Company did a large business. With the Orange Free State, also, business in high class guns has been very

> brisk of late, and throughout Cape Colony weapons of every kind have been in good request of late, on account of the Basuto War and the disturbed state of the neighbouring tribes on the eastern seaboard;"

and, if these statements are true, whether Her Majesty's Government cannot discourage the sale of old stores for such purposes, as well as the exportation of arms and ammunition known to be intended for use against ourselves?

MR. CHAMBERLAIN, in reply, said, that the statements which the hon. Member had extracted from *The Ironmonger* newspaper appeared to be somewhat indefinite in their character. He did not think they justified the Question which the hon. Member had founded on them. He had no special information on the subject to which those statements related; but he was strongly of opinion that no British manufacturers of arms were exporting arms and ammunition known to be intended for use against ourselves. As regards the sale of military arms from the Government stores, the hon. Member asked a Question which had been twice replied to in the House. He could only repeat that in the time of the late Government 200,000 old Enfield rifles were sold at an average price of 1*s*. 6*d*. apiece. He was not aware whether any of those arms had found their way to Ireland; but if the hon. Member was under any apprehension on the subject, he might be relieved to know, on the authority of the noble Lord who represented the late Government in that matter, that all those arms were unserviceable, and some of them were dangerous to the persons using them. He had only to add that during the time of the present Government these sales had been entirely discontinued. No arms whatever had been sold by the present Government under these circumstances.

MR. MAC IVER remarked that his Question referred to the time of the present Government.

MR. CHAMBERLAIN: No arms whatever have been sold by the present Government.

COLONEL STANLEY: As the right hon. Gentleman has referred with emphasis to the action of the late Government, may I ask whether it is not the case that the sale of arms was begun by the former Liberal Government and stopped by the late Conservative Government?

MR. CHAMBERLAIN: The right hon. and gallant Gentleman asks me a Question which is not within my knowledge. Probably it would be better to address it to the Secretary of State for War.

MR. O'DONNELL asked whether it was legal for a Government official to sell dangerous weapons to the public; and, if not, whether it was the intention of the Government to institute a prosecution against the official of the late Government responsible for such sale?

MR. CHAMBERLAIN requested the hon. Gentleman to give Notice of his Question.

## LAW AND POLICE—FAILURE OF JUSTICE.

VISCOUNT FOLKESTONE asked the Secretary of State for the Home Department, Why, in a recent case of the abuse of a child of nine years of age, the police permitted the offender to escape from England without endeavouring to bring him to justice; whether he will cause inquiries to be made why no prosecution was instituted by the police authorities; and, whether he will give instructions that in future the police shall take the necessary steps to prevent such a failure of justice; or, if the police have no jurisdiction in such cases, whether he will state who is the proper person to undertake prosecutions in matters of this kind?

SIR WILLIAM HARCOURT: This matter is now under investigation. I have not got the facts properly before me, and it would be premature for me to express an opinion on them.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—THE POLITICAL PRISONERS.

MR. HEALY asked Mr. Attorney General for Ireland, If he can state the number of hours of exercise or intercourse allowed to political prisoners in Kilmainham, Galway, Naas, and Limerick Gaols, and if there is any difference in the periods allowed, and the reason?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Six hours is daily allowed in exercise and association. There is no difference in that respect in any of the gaols.

### POST OFFICE—KIDDERMINSTER POST OFFICE.

Mr. BRINTON asked the Postmaster General, If the statement in a local paper is correct that, owing to the unsafe and dilapidated condition of the front of the Post Office at Kidderminster, letters can be removed from the letter-box by passers by; and, whether he will take immediate steps to remedy the complaint?

Mr. FAWCETT, in reply, said, so far as he had been able to ascertain, the only probable cause of insecurity was that the box might have become obstructed through persons attempting to post in it parcels too large to pass properly, instead of handing them over the counter. There was nothing, he was informed, in the condition of the front of the office to cause insecurity. The building, however, was an incommodious one, and steps were being taken to provide a new post office.

### NAVY—THE MEDITERRANEAN FLEET.

Lord RANDOLPH CHURCHILL asked the Secretary to the Admiralty, Whether any orders have been given to the Commander in Chief in the Mediterranean within the last month or six weeks or so, for the dispersion of the vessels ordinarily composing the Mediterranean Fleet?

Mr. TREVELYAN: Sir Beauchamp Seymour, the Commander-in-Chief in the Mediterranean, wrote on the 17th of March to ask that the large ships under his command might have a month's independent cruise, preparatory to the long cruise of the whole Squadron which takes place during the summer. The Board replied to this, which, I am told by those who know, is a very workmanlike proposal, by a letter which ran thus—

> "With reference to your letter of the 17th inst., I am commanded by my Lords Commissioners of the Admiralty to acquaint you that they approve of the large ships of your Squadron being detached for a month's independent cruise provided you are in telegraphic communication with them at the ports to which each ship will proceed. My Lords consider the ports of Villafranca, Barcelona, and Port Mahon are too far from Malta, and should not now be visited."

The iron-clads accordingly cruised about well within call in case of need, as was proved directly the *Monarch* was wanted; and the Squadron has now rejoined Sir Beauchamp Seymour's flag at Malta, and is waiting orders to sail on its summer cruise.

### LAW AND POLICE—PUBLIC MEETINGS.

Mr. LABOUCHERE asked the Secretary of State for the Home Department, Whether his attention has been directed to complaints made by various gentlemen who obtained access to the platform at Exeter Hall on Friday last, on the occasion of a meeting at which the chair was taken by Earl Percy, M.P. and who were provided with tickets by the Committee that organised the meeting, but who were forcibly removed from the platform by a body of the Metropolitan Police; and, whether the Police were justified in taking this course of action?

Sir WILLIAM HARCOURT: In answer to my hon. Friend, I have to say that, in the interests of public meetings and of free discussion in this country, it is the duty of the police to see that the people who call public meetings should be protected and supported in the holding of the meeting tranquilly, and not be interrupted or interfered with by those who wish to create disorder. The report of this meeting made to me by the police is that a great deal of disorder prevailed on the occasion; that a large number of persons overpowered the official managers who called the meeting, forced their way, took possession of the platform, and created great confusion. The police were requested by the managers to assist in clearing the platform, and I have a positive assurance that no more force was used than was absolutely necessary. The meeting then tranquilly proceeded. The police performed a difficult duty with moderation and good temper.

### CITY OF LONDON—THE MITCHELL CHARITIES—THE SCHEME.

Mr. Alderman LAWRENCE asked Mr. Attorney General, What steps have been taken to carry into effect the charitable dispositions made by the will of the late Mr. Mitchell in favour of the poor of the city of London; and, whether he can state in what manner such fund will be disposed of?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, a scheme had been prepared, under which the application of the fund would be intrusted to 15 Trustees, nine of whom would be nominated by the City Corporation, the Governors of Christ's Hospital, and the School Board of London. He had allocated the bequest in the proportion of one-third to the physical wants of the poor, the remaining two-thirds to be devoted to educational purposes. The bequest would ultimately amount, he believed, to between £3,000 and £4,000 per annum.

## METROPOLITAN BRIDGES AND FERRY ROADS BILL—EAST AND WEST INDIA FERRY ROADS.

MR. RITCHIE asked the Chairman of the Metropolitan Board of Works, Whether Clauses for providing for the free use by the public of the East and West India Ferry Roads, in the parish of Poplar, had not been inserted in the Metropolitan Bridges and Ferry Roads Bill, and subsequently struck out after such Bill was committed, but before it had been considered by the Committee; if such Clauses were struck out, the reason for so doing; if it is not the fact that the East and West India Ferry Roads are the only roads in the Metropolis on which toll is levied; and, whether the Metropolitan Board of Works propose to take further action to relieve the public from such tolls, and extinguish the ferry rights created by the Act 52 Geo. 3, and dissolve the Poplar and Greenwich Ferry Company?

SIR JAMES M'GAREL-HOGG, in reply, said, that the Metropolitan Bridges and Ferry Roads Bill did contain the clauses in question, and that they were struck out. This course was taken under advice, in consequence of the opposition of the Poplar and Greenwich Ferry Company, with the details of which he would not take up the time of the House. He was unable to inform his hon. Friend whether the East and West India Ferry Roads were the only roads in the Metropolis on which toll was levied, or whether the Metropolitan Board proposed to take further action in the matter; but he was sure that their best attention would be given to any representation which might be made to them on the subject.

## STATE OF IRELAND—ALLEGED OUTRAGE BY SOLDIERS IN DUBLIN.

MR. O'KELLY asked the Secretary of State for War, Whether his attention has been called to an attempt to murder committed by three soldiers on Sunday morning, May 16th, near Portobello, Dublin; whether the military authorities have made any effort to discover the guilty parties; and, if so, what efforts; and, whether he will order a list of men belonging to the detachment of the Army Service Corps, stationed in Portobello, who were absent from barracks between twelve o'clock on Saturday night and six o'clock on Sunday morning to be furnished to the police, in order to facilitate the discovery of the authors of the attempted murder?

MR. CHILDERS: I have read the papers in this case, and I find that on the 15th of May a man named M'Call, and a woman, came to Portobello Barracks and stated that the former had been thrown into the Canal by some men of the Army Service Corps. Inquiries were made, and next morning all the men of the Army Service Corps at Portobello who had been on leave the previous night were paraded for identification by M'Call; but he failed to identify the culprits. The military authorities have used every endeavour, and given every facility to the police, to discover the culprits, but without success.

## THE MAGISTRACY (IRELAND)—STIPENDIARY MAGISTRATES.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Mr. J. C. Gardner, Henry Thynne, Rodolphus Harvey, David Harrell, policemen and chiefs of the detective force, and H. A. Blake, sub-inspector of the police, all of Belfast, have been appointed judges or stipendiary magistrates in Ireland; and if such appointments are not calculated to shake the confidence of the people in the impartial administration of the Law; and, if he will place upon the Table of the House, the certificates recommending them to the office of resident magistrates?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): It is true that these gentlemen were each at the head of the Belfast branch of the detective force for some time during their services as Constabulary officers, and that they have been appointed stipendiary magistrates. They are most efficient magistrates, performing their duties in a very satisfactory manner, and their appointments are in no way calculated to shake the confidence of the people in the impartial administration of the law. I do not know to what certificates the hon. Member refers. There are no such things.

### SOUTH AFRICA—THE TRANSVAAL—THE MURDER OF CAPTAIN ELLIOTT.

Lord EUSTACE CECIL asked the Under Secretary of State for the Colonies, Whether, in view of the fact that Captain Elliott's murderers must have formed part of a detachment which was appointed to escort prisoners over the frontier, any satisfactory explanation has been yet received from the Boer leaders of the delay in the apprehension of the persons concerned?

Mr. GRANT DUFF: We are informed by Sir Hercules Robinson that the explanation of the Boer leaders is as follows:—They say that during the war their hands were so full that they had no time to think of anything else, and that their promise to co-operate was made on the 21st of March, after which date the government was out of their hands, and they had no power to arrest. They have given the names of the persons believed to be implicated, and say they are willing to assist the officers of justice in arresting these persons when a warrant of apprehension is issued.

Lord EUSTACE CECIL: Can the right hon. Gentleman mention the names?

Mr. GRANT DUFF: I do not know them.

### FRANCE—THE NEW COMMERCIAL TREATY (NEGOTIATIONS).

Mr. RITCHIE asked the Under Secretary of State for Foreign Affairs, Whether, in the ensuing negotiations with France for the conclusion of a Commercial Treaty, the representatives of Great Britain will be instructed to insist on the insertion of some provision to prevent the spirit and intention of our Treaties being broken by the giving of bounties, referred to by Lord Granville in a despatch to Mr. Adams, dated July 30th, 1880, as follows:—

> "It is a fair matter of representation that such bounties are contrary to the spirit and intention of those Treaties, and will, in another way, produce the very effect which their stipulations with reference to useful duties are intended to prevent. This view of the case will be borne in mind in any commercial negotiations with France which may be conducted in London;"

and, whether Her Majesty's Government will consider the desirability of entering into negotiations with other Foreign Powers with a view of making such alterations in existing Treaties as will bring the letter of those Treaties in accord with their spirit and intention?

Sir CHARLES W. DILKE: The question of the sugar bounties is dealt with by the Board of Trade; but the Foreign Office have undertaken to bring before the French Commissioners, in the course of the ensuing Commercial negotiations, the complaints respecting the effect of the bounties granted in France to sugar and shipping. Her Majesty's Government cannot tie their hands by undertaking to make the conclusion of any Commercial Treaty dependent upon the acceptance of a foreign Government of their views upon any given point.

Mr. RITCHIE gave Notice that, on going into Committee of Supply, he would call the attention of the House to the despatch of Lord Granville to Mr. Adams.

### OUTRAGES AGAINST JEWS IN RUSSIA —INQUIRY BY SPECIAL AGENT.

Mr. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether, in cases where no consular officers are stationed at the districts in Russia reputed to have risen against the Jewish population, Her Majesty's Government will follow the precedent created by the mission of Mr. Baring into Bulgaria, and despatch a special agent to examine and report into the alleged outrages?

Sir CHARLES W. DILKE: No, Sir. A deputation, representing various Jewish bodies, which waited on Lord Granville on Tuesday, pointed out that no analogy existed between the cases which the hon. Member compares.

### ARMY ORGANIZATION—MILITIA BATTALIONS.

Earl PERCY asked the Secretary of State for War, Whether the Militia Battalions are to become the 3rd and 4th Battalions of Regular Regiments after the 1st of July; and, whether those which have not hitherto had a permanent Adjutant will then be supplied with one?

MR. CHILDERS: In reply to the noble and gallant Lord, I have to state that, practically, Militia Regiments will be treated, as a general rule, as 3rd and 4th Battalions of Territorial Regiments from the 1st of July. Technically, however, formalities have to be observed, which will defer for a short time this affiliation being completed. It is not yet finally settled in which cases the two Adjutants will be allowed; but this will be decided before next year's training.

### ARMY ORGANIZATION—MILITARY TITLES—THE NEW WARRANT.

MR. MOLLOY asked the Secretary of State for War, If, in the case of Colonels who are retired compulsorily or voluntarily under the new Warrant, and who will be entitled to retire as Major Generals, he will permit them to retain the designation of Colonel should any of them express a preference for retiring with that grade?

MR. CHILDERS: Yes, Sir; by all means.

### POST OFFICE — LEGAL STATUS OF TELEGRAPH CLERKS — OPINION OF THE ATTORNEY GENERAL.

MR. MACLIVER asked the Postmaster General, If his attention has been called to the opinion given, on the 19th instant, by Mr. Attorney General, defining the legal status of the Telegraph Clerks; and, whether he will adopt that opinion and act upon it?

MR. FAWCETT, in reply, said, that anyone who had heard or read the answer of his hon. and learned Friend on this subject would come to the conclusion that he had not defined the legal status of the telegraph clerks, and he had certainly not been asked to do so.

### POOR LAW (IRELAND)—ELECTION OF GUARDIANS, BELFAST.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the manner in which the annual election of Poor Law Guardians for Cromae Ward, in the Borough of Belfast, has been conducted for the present year; if it be true, as disclosed in evidence before the magistrates at petty sessions, in Belfast, on the 13th May instant, that the policeman entrusted with the delivery and collection of voting papers at said election was guilty of grave neglect in the discharge of his duty, by failing to collect voting papers in the houses of several of the streets in which he had laid them down, and in other districts having called at the residence of the voters at ten or eleven o'clock at night, when many of them had retired to bed; if it be true that the policeman in company with Mr. James R. Christian, one of the successful candidates, under their system of election, entered a public-house in the said ward, and partook of refreshments, and whilst thus regaling themselves, is it true that the parcel of collected voting papers then in the constable's possession were opened, examined, and altered by the said Mr. Christian, or one of his agents, who was also present; and, if any or all of these assumptions be accurate, will he take into consideration the form in which the last election for the Poor Law Guardians for Cromae was conducted?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Since my right hon. Friend the Chief Secretary for Ireland replied to a previous Question on this subject, we have received a Report in reference to it from the Inspector General of Constabulary. It appears that certain allegations having been made against the sub-constable affecting his conduct in the distribution and collection of the Poor Law voting papers in the Cromac Ward, the Inspector General directed that charges of neglect in the performance of this duty should be framed against him and brought before the magistrates, under 6 *Will.* IV. c. 13, s. 19, for adjudication. These charges were fully investigated by the magistrates on the 13th instant, and after a careful and protracted inquiry they acquitted the sub-constable. It was not proved that he partook of refreshments from the candidate, Mr. Christian, in a public-house; and there was no charge or even suggestion before the magistrates that the voting papers were in any way tampered or interfered with. This imputation has now been made for the first time in the Question of the hon. Member. My right hon. Friend has already stated that the Local Government Board do not think that the case is one for the exercise of their powers of inquiry under the 23rd section of 6 & 7 *Vict.* c. 92; and it appears to me that the Report of the Constabulary authorities does not disclose any new facts requiring further investigation.

### H.M. STATIONERY OFFICE—REPORT OF THE CONTROLLER.

Mr. BUXTON asked the Secretary to the Treasury, When he will move for the appointment of a joint Committee of the two Houses of Parliament, as promised in another place, to inquire into the Report of the Controller of Her Majesty's Stationery Office; and, whether he can inform the House of the scope and particular points to be referred to such Committee for decision?

Lord FREDERICK CAVENDISH: I hope to be able to move in a few days for the appointment of the Committee referred to by my hon. Friend. The general object of the inquiry which I should propose would be the existing arrangements for the printing, distribution, and sale of Acts of Parliament, Orders in Council, and Papers printed at the public expense for the information of Parliament, and for the storage of Parliamentary Papers.

### PARLIAMENTARY OATH (MR. BRADLAUGH)—GOVERNMENT OFFICIALS AT WOOLWICH ARSENAL.

Mr. LABOUCHERE asked the Secretary of State for War, Whether he will take steps to inquire if any of the Government officials of the Arsenal at Woolwich have been using their influence with the employés in the Arsenal to induce them to sign a Petition against one of the duly elected Members for the borough of Northampton taking his seat in this House; whether, in violation of regulations, a labourer was sent round amongst these employés during working hours by certain of the officials to obtain signatures for such a Petition; and, whether, if he finds that this was the case, he will take measures to punish the officials guilty of this conduct?

Baron HENRY DE WORMS said, before the right hon. Gentleman answered the Question he should like to ask another, although he had not given Notice. He wished to know whether the right hon. Gentleman considered that workmen employed in the Royal Arsenal at Woolwich were, in consequence of such employment, precluded from expressing any opinion on the advance of atheistic, obscene, and disloyal opinion in the country?

Mr. CHILDERS: As to the last Question, I should have Notice of it, because it requires a very careful answer. It involves a distinction between what the workmen may do on duty and off duty. If he excuses me for saying it, my hon. Friend had time to give me Notice of this Question. In reply to my hon. Friend the Member for Northampton, I have to state that I have ascertained that an officer of the Store Department in Woolwich Arsenal obtained signatures there to a Petition against the alteration of the law on the subject of Parliamentary Oaths, and employed an office messenger for the purpose. I also find that a labourer in the Royal Laboratory brought a Petition to the same effect into the Department, but not at the request of any officer. I have taken care that the persons who have committed these irregularities are made aware of my disapproval of their conduct.

### CONTAGIOUS DISEASES ACTS—THE MAGISTRACY.

Mr. HOPWOOD asked the Secretary of State for the Home Department, Whether it is the fact that one or more surgeons employed in the compulsory examination of prostitutes under the Contagious Diseases Acts have been made justices of the peace, in order that they may carry out the Acts in a twofold capacity, administering and executing the Law; whether he will state by what Minister such gentlemen were recommended to Her Majesty for appointment; whether he approves of such a confusion of duties; and, whether the individuals in question should not be called upon to make their choice once for all to act either as magistrates or as surgeons?

Sir WILLIAM HARCOURT, in reply, said, that he had made inquiries on the subject, and had not been able to discover that any such appointments had been made.

Mr. HOPWOOD said, he believed the appointments were made by Earl Cairns, the ex-Lord Chancellor.

### VACCINATION—VACCINE LYMPH.

Mr. P. A. TAYLOR asked the President of the Local Government Board, Whether his attention has been directed to the fact that an absolute diversity of opinion exists at this moment amongst our highest medical authorities in regard to certain lymph still used, Sir Thomas Watson declaring that the lymph which has been largely used at Brighton and elsewhere for the last forty years is variolous, and such as "must have spread about a vast amount of mitigated smallpox;" while Dr. Carpenter asserts that—

> "No vaccinator could be charged with propagating smallpox even though it were put beyond doubt that his vaccine lymph had been remotely derived from a smallpox pustule;"

and, whether he does not think it would be safer to discontinue the practice of vaccination altogether until at least our highest medical authorities can agree upon the not unimportant point as to whether the lymph employed is a protection against smallpox, or whether it may not be simply an agent for the diffusion of smallpox?

MR. DODSON: I believe that Sir Thomas Watson did use the words quoted in a letter to *The British Medical Journal* for January 17, 1880. In a subsequent letter, however, to that journal, on February 28, 1880, he says, referring to an important paper by Mr. Ceely, of which he had no previous knowledge—

> "A careful study of it has convinced me that I have been in error respecting the mutual relations between small-pox and cow-pox. I hasten, as in duty and honour bound, to acknowledge my mistake, and to apologize to the gentleman upon whose measures upon this subject I have commented."

I cannot admit that there is any substantial difference among the highest medical authorities upon the point as to whether the lymph employed is a protection against small-pox, or whether it may not be simply an agent for the diffusion of small-pox, as the great bulk of the Profession are agreed that the lymph employed in vaccination is, if successfully inserted into the human subject, a protection against small-pox, and not a means to its diffusion. At the same time, if all measures for preventing or curing disease in regard to which a difference among doctors may be found are to be postponed until they all agree, not only would vaccination, but medical treatment altogether, have to be suspended indefinitely.

## INDIA—GRANTS TO SIR FREDERICK ROBERTS AND SIR DONALD STEWART.

SIR H. DRUMMOND WOLFF asked the Secretary of State for India, Whether he can state the grounds, actuarial or other, on which a sum of £12,500 was given to Sir Donald Stewart and Sir Frederick Roberts, in commutation of an annuity of £1,000 a-year respectively awarded to these two officers, it being the fact, as stated in recognised works of reference, that Sir Donald Stewart is about eight years older than Sir Frederick Roberts?

THE MARQUESS OF HARTINGTON: Sir, I did not state that the sum of £12,500 had been given to Sir Frederick Roberts and Sir Donald Stewart as the exact commutation of the pension of £1,000 a-year granted to them. What I stated, I believe, was that legal difficulties having arisen with regard to these officers' pensions of £1,000 a-year, pending their tenure of commands in India, it was decided to make an alternative offer to them, and that they had been finally offered either £1,000 a-year at the expiration of their term of service, or a lump sum, which I said was in both cases in excess of what the actuarial value of £1,000 a-year, if now calculated, would have been. When pensions from the India Office are commuted the interest is calculated at 5 per cent, and at that rate of interest the actuarial equivalent of the pension of £1,000 a-year to a person of Sir Frederick Roberts' age would have been £11,892. At 4 per cent it would have been £13,153. It was considered, on the whole, desirable to offer these officers a lump sum intermediate between the value on these two calculations. Of course I am perfectly aware that Sir Donald Stewart, being older than Sir Frederick Roberts, the sum he received is more largely in excess of the commuted value of the pension than that received by Sir Frederick Roberts.

SIR H. DRUMMOND WOLFF: Perhaps the noble Lord will inform the House what was the actuarial value of the pension of Sir Donald Stewart?

THE MARQUESS OF HARTINGTON: I cannot now say.

## WESTMINSTER SCHOOL — EXCHANGE OF ESTATES—ORDER—QUESTIONS.

MR. THOROLD ROGERS asked the Right honourable Baronet, the senior

Member for the University of Oxford, Whether the members of the governing body of Westminster School, present at the meeting of May 2nd (when the house of the late Sub-dean of Westminster, secured to the School by 31 and 32 Vic. c. 118, s. 20, and others vacant, was not claimed, and another house of far less dimensions, and of far less convenience for the purposes of the School, was accepted in exchange, the prospects of obtaining the latter house being contingent on the death or resignation of the occupier), were more than a moiety of the governing body; whether the members of the governing body received notice that business of the highest importance to the welfare and efficiency of the School was to come under the consideration of the governing body; whether the governing body has powers under 31 and 32 Vic. c. 118, to exchange premises secured to the School for other premises, or any premises except those provided under sub-section 13; whether the hour at which the meetings of the governing body are summoned is not fixed at a time at which it is notoriously impossible for the Right honourable the Chairman of Ways and Means to attend to the business of the School; whether there are not four Deans and two Canons of Westminster in the governing body; and, whether it is not the duty of a member of the governing body to consider the interest of the School, whose affairs he is appointed to administer, beyond everything else?

Sir MICHAEL HICKS-BEACH rose to a point of Order arising out of the Question of the hon. Member. Sir Erskine May, in his *Parliamentary Practice*, had laid it down that Questions might be put to Ministers of the Crown on matters of Public Business, or to private Members having charge of a Bill or Motion on the Paper of the House, or to persons occupying certain high positions. Under the latter head Questions were asked of the Chairman of the Metropolitan Board of Works, of Members serving on Parliamentary Commissions, or even on temporary Commissions, of Ecclesiastical Commissioners, or the Trustees of the British Museum. But he would ask whether the privilege of asking Questions in that House might be exercised in respect of Members who happened to be Members of the Governing Body of a school on a subject relating to the action of the Governing Body of that school? It appeared to him that if this practice was to be introduced, it would involve a dangerous extension of the right of asking Questions, and would justify Questions being addressed to any hon. Member who happened to be a Member of any public body whatever—of a Board of Guardians, or a Railway Board, or any other body acting under the authority of an Act of Parliament—with regard to matters connected with their different Boards or Companies.

Mr. SPEAKER: The right hon. Baronet has, no doubt, quite correctly stated the Rule of the House that no Question shall be put to any Member of the House, other than a Minister of the Crown, unless that Question relates to some Bill or Motion that happens to be before the House. At the same time, when the Question now under discussion appeared on the Notice Paper of the House, I considered whether it was proper that the Question should be put; and it certainly did appear to me—seeing that it related to the proceedings of the Governing Body of an important public school, established by Act of Parliament —that it would not be proper for me to interpose between the hon. Member proposing to put that Question and the House.

Sir JOHN R. MOWBRAY: In reply to this long series of Questions, mixed up with suggestions, I beg to state that, although in deference to what has fallen from the Speaker I answer the Questions put to me, I wish it to be understood that I am neither the Chairman nor a very active member of the Governing Body of Westminster School. The matters to which the series of Questions refer were discussed at two meetings of the Governing Body, duly convened, with proper notice, on March 31 and May 2. On the former day 11, on the latter 7—out of 14 in number—of the existing Governing Body were present. The Resolutions on each occasion were unanimously carried. The Governing Body resolved to take the necessary steps to acquire the late sub-Dean's house, in accordance with the Act of Parliament, and promised to take into favourable consideration any proposal in the nature of an exchange. Such proposal having been afterwards received, the Governing Body accepted an offer of another house, in their opinion adequate and convenient, with the prospect of immediate possession, and upon the understanding that an adequate space of ground would, if practicable, be provided for a fives court. The Governing Body were advised by counsel that they had the right, with consent of the Charity Commissioners, to effect such change. I know nothing of the hour fixed for the meetings. It is usually 4 o'clock, and has been found convenient for Members of both Houses of Parliament and for Judges and members of the Bar. The noble Lord the Secretary to the Treasury (Lord Richard Grosvenor), before he held Office, was a most constant attendant. Now, the hon. Member for Southwark is, we know, an accurate scholar, yet the next part of his Question is very difficult to understand. He asks me whether there are not four Deans and two Canons of Westminster in the Governing Body? The proper construction of that is that there are four Deans of Westminster. Well, there are not four Deans of Westminster; but the Dean and two Canons of Westminster and the Dean of Christ Church are members of the Governing Body *ex officio*. The Master of the Temple, who is also Dean of Llandaff, and Dr. Church, who is Dean of St. Paul's, have been elected members. In my opinion, it is the duty of a member of the Governing Body to consider the interests of the school beyond everything else. I can only speak for myself, without any authority to represent others. If the hon. Member for Southwark wishes to exhaust that portion of the subject, he must interrogate the Chairman of Committees (Mr. Lyon Playfair) and the other members of the Governing Body. With the majority of them, including all the four Deans, the hon. Member for Southwark is in closer political sympathy than I am.

## AFFAIRS OF BULGARIA.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have reliable information as to what is passing in Bulgaria; whether the meagreness of the news in the public prints indicates that the Prince has possession of the telegraph; and, whether he can state yet what course Her Majesty's Government have adopted in the matter?

SIR CHARLES W. DILKE: Her Majesty's Government are beginning to receive detailed information as to what is passing in Bulgaria; and, judging from the telegrams which appear in the newspapers and those received by Her Majesty's Government, no hindrance is being put in the way of communication by telegraph. Her Majesty's Government have not been called upon to pronounce any opinion upon the circumstances.

SIR GEORGE CAMPBELL: Is the British Agent in Bulgaria still maintaining communications with the Prince?

SIR CHARLES W. DILKE: So far as I know, yes.

## TURKEY—THE CAPTURE OF MR. SUTER BY BRIGANDS.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether, in consequence of instructions previously issued, the Turkish troops were not allowed to interfere with the brigands who carried off Mr. Suter, lest in so doing they should injure an Englishman; whether the Turkish Government is nevertheless held responsible for the occurrence; and, whether Her Majesty's Government have again adopted the plan of compounding with the brigands, paying them large sums and guaranteeing their security, as was done on a former occasion, and so giving them the utmost possible temptation to capture as many Englishmen as possible?

SIR CHARLES W. DILKE: Her Majesty's Government considered it their duty to take such steps as were in their power to save the life of Mr. Suter. Her Majesty's Consul General at Salonica was accordingly authorized to pay the ransom demanded by the brigands, if they could not be induced to accept a smaller sum; and the Turkish Government were informed that they would be held responsible for the amount, and for an indemnity to Mr. Suter's widow in the event of his being killed by the brigands. Mr. Blunt considered it necessary, to insure Mr. Suter's safety, that the brigands should not be pursued by troops as long as he was in their hands, and the Turkish authorities were requested to give orders to that effect. A telegram has been received stating that Mr. Suter has been liberated; but that Mr. Blunt was obliged to pay the whole ransom demanded. We are not aware that the security of the brigands has been in any way guaranteed. A notice has been issued warning British subjects that Her Majesty's Government will not in future be responsible in similar cases.

### ITALY—OCCUPATION OF TRIPOLI.

MR. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether there is any record of conversation by Lord Salisbury with reference to the occupation of Tripoli by Italy, as compensation for the entry of France into Tunis?

SIR CHARLES W. DILKE: I can quite understand the curiosity of my hon. Friend on this subject, and I am sure he will understand my reticence. All the information that Her Majesty's Government are in a position to supply is contained in the Papers which have been laid upon the Table of the House, and I am unwilling to be drawn, in replying to my hon. Friend's Question, into a discussion upon the subject.

### PARLIAMENT—PUBLIC BUSINESS—RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

MR. ARTHUR PEEL asked the President of the Local Government Board, Whether, seeing that the Rivers Conservancy Bill has after reference to a Committee passed the House of Lords, and has in this House been carried on the Second Reading by a large majority, the Government will take immediate steps for the nomination of the Select Committee to which the Bill has been referred, so that its provisions may be duly considered with a view to legislation in the present Session?

MR. DODSON: Considering that the Bill in question is substantially one for giving facilities to those localities which may desire to obtain legislation suitable to their necessities, and that the importance of such a measure has been recognized not only by the present, but by the preceding Government, Her Majesty's Government certainly had hoped that the nomination of the Select Committee would have been assented to without difficulty as soon as the House re-assembled after the Easter Recess. But the number of miscellaneous Notices that have been given, coupled with the pressure of Business and the operation of the Half-past Twelve Rule, have delayed the nomination of the Committee. I am perfectly well aware, and deeply sensible, of the urgent importance in the case of several river basins of legislation of this description. I very much sympathize with those hon. Members who do not altogether agree with me in regard to the proposed composition of the Committee, or to the method of procedure which I propose on behalf of the Government to adopt; but, considering the importance and urgency of the subject, I would venture to hope that those hon. Members may waive their Notices and allow the nomination of the Committee to proceed. Be that as it may, it has been, and it remains, the desire of the Government to prosecute this measure with the least possible delay, and to secure legislation on the subject in the present Session.

### THE CIVIL SERVICE—PROMOTION.

MR. GRANTHAM asked the Secretary to the Treasury, Whether the rule which prevails in the Army, making it compulsory on officers to retire at certain ages, with a view of securing a steady and healthy flow of promotion in the junior ranks, might not with equal advantage be applied to the Civil Service generally; and, if there is any reason why the regulation now in force at the Admiralty, requiring clerks of forty years' service to retire on attaining the age of sixty, should not be extended to the War Office and other Public Departments, in which, failing the introduction of any such measure, the prospects of advancement are exceedingly remote?

LORD FREDERICK CAVENDISH: By the Superannuation Act of 1859, any member of the Civil Service of 60 years of age and 40 years' service is qualified, on retirement, for the maximum pension of two-thirds of his pay and allowances. Formerly, the rate of retiring pension increased up to 50 years' service, when it might be equal to the full pay and allowances. Undoubtedly, the tendency of that system was to detain men in the Service too long; but under the one now in force it is not very usual for any clerk in the Public Departments to remain after he is qualified for the full retiring pension. The Regulation now in force at the Admiralty, to which the hon. Member alludes, was promulgated at a time when great changes were being made. I am not aware of any case which calls for a new general Rule; it is, however, in the power of the Head of any Department to propose to the Treasury for adoption the Admiralty Regulation.

### ARMY ORGANIZATION—THE NEW WARRANT.

COLONEL KENNARD asked the Secretary of State for War, Whether the vacancies created by the new Army Organisation will be filled up in the battalions in which they occur, or in the new double battalions, according to seniority; and, will officers, who by existing regulations are already disqualified from further promotion, gain any benefit in promotion by the new Warrant, or be obliged to retire at once?

MR. CHILDERS: In reply to the hon. and gallant Gentleman, I have to state that the question to which his inquiry points has been fully discussed; and that in the General Orders, which will give effect to the new organization, clauses will be inserted fully providing for the equities of these cases. I do not think that I need, at the present time, give further detail as to a portion of the very elaborate scheme which will shortly be before Parliament.

### AFFAIRS OF TUNIS—THE CONVENTION OF 1875.

THE EARL OF BECTIVE asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government has taken any steps to ascertain the views of the French Government respecting the renewal of the Convention of 1875, which expires in 1882; and, if so, if he will communicate the answer of the French Government to the House? He also asked, If Her Majesty's Government consider that any alteration in the jurisdiction of the Consular Court at Tunis is required under the present confused state of affairs in the Regency; and, if not, will Her Majesty's Government obtain an undertaking from the French and Tunisian Governments that the jurisdiction of the Court shall be as extensive in the future as it was when the Court was first established?

SIR CHARLES W. DILKE: If the noble Lord will turn to the Convention with Tunis, which was laid before Parliament in 1876, he will perceive that Article 40 provides that at any time after the expiration of seven years from the date of the Convention, either of the high contracting parties shall have the right to call upon the other to enter upon a revision of the same; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and put into operation, the present Convention shall continue and remain in full force and effect. With regard to the second Question of the noble Lord, I have to say that the Convention of 1875 determines the jurisdiction of the Consular Court, and the subject is therefore covered by the reply which I have given to the noble Lord's previous Question.

THE EARL OF BECTIVE asked the Under Secretary of State for Foreign Affairs, Whether it is to be inferred from Lord Granville's letter of the 20th May to the French Ambassador that England does not recognise the Treaty forced upon the Bey on 12th May; whether, as a matter of fact, Her Majesty's Government does or does not recognise such Treaty; and, whether the Order in Council of the 18th May does or does not treat Tunis as a part of the Ottoman Empire; also, if Her Majesty's Government is aware that M. Roustan has ordered the Bey of Tunis to surround the house of the Sheik-el-Islam with soldiers; and that M. Roustan has sent an intimation to the Sheik-el-Islam as to the decision he must deliver in the Enfida case?

SIR CHARLES W. DILKE: I am unable to give within the limits of a reply a full statement of the views of Her Majesty's Government on the points raised by the noble Lord; and I must leave him to appreciate the views expressed in Lord Granville's Note. With regard to M. Roustan, Her Majesty's Government have received no information of the kind referred to from Her Majesty's Consular General at Tunis.

### OPEN SPACES (METROPOLIS)—LINCOLN'S-INN-FIELDS.

SIR EARDLEY WILMOT asked the First Commissioner of Works, Whether any arrangements are in progress, and, if so, what arrangements, for opening the inclosure in Lincoln's Inn Fields as a recreation ground for the public?

Mr. SHAW LEFEVRE: I believe that a proposal has been made to open Lincoln's Inn Fields to the public; but I am afraid it has not made much progress, owing to the legal difficulties raised by the householders in the neighbourhood. The question is one which concerns the Metropolitan Board of Works more than the Office of Works.

## GROUND GAME ACT, 1880—REMISSION OF FINES ILLEGALLY INFLICTED.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, If he has yet come to any decision in regard to remitting the fines levied upon three men (John West, Isaac Martin, and John Basset) at the West Powder Petty Sessions, for killing rabbits, on the invitation and at the request of the occupier of the land?

Sir WILLIAM HARCOURT, in reply, said, that, after careful consideration, he had come to the conclusion that the magistrates had misconceived the law, and that the conviction could not be sustained. He had, therefore, directed that the fines imposed by the magistrates should be remitted.

## SCIENCE AND ART—MUSEUM AND LIBRARY, DUBLIN.

Mr. DAWSON asked the Vice President of the Council, Whether before deciding on any plans for the building of the new Science and Art Museum and National Library in Dublin the Corporation of Dublin will be consulted; and, whether in the construction of the National Library regard will be had to the improved mode of construction which separates the public reading rooms from those in which the books are stored?

Mr. A. M. SULLIVAN asked whether, considering the number of years the project had been under consideration, the Government would use all their exertions to bring it to a speedy completion?

Mr. MUNDELLA, in reply, said, there had been no delay since the matter came into their hands. The only hindrance they had experienced, they had experienced in the City of Dublin itself. As the hon. Gentleman (Mr. Dawson) was, no doubt, aware, the acquisition of the Leinster Lawn site was wanted, and the Government were prepared to acquire it immediately they came into Office. They had, however, been defeated by local opposition. Now they were thrown back upon the Kildare Street site, and they were making arrangements for a public competition in respect to the plans and valuations for the proposed new buildings. Every facility would be given for the criticism of the plans by the Corporation and the public generally before a selection was made. The hon. Member might rest assured that the Government would do all it could to secure the best possible arrangements for the Library; but it would be premature to state before the plans were prepared what those arrangements would be. He could assure both the hon. Gentlemen the Government were as anxious to push the matter forward as they themselves were.

## EVICTIONS, &c. (IRELAND).

Mr. DAWSON asked the First Lord of the Treasury, Whether, since the 5th May, the Government have received any information on the subject of the necessity of suspending evictions in Ireland in the case of tenants unable to pay their rents; whether that information has received the close and early attention of the Government; and, whether, in view of the delay of legislation, he will bring in some provisional measure to check evictions in such cases, and thus remove serious sources of disturbance in Ireland?

Mr. T. P. O'CONNOR inquired whether the attention of the right hon. Gentleman the First Lord of the Treasury had been called to a Return issued that morning, stating that there had been 91 judgments entered in the High Court of Justice between January 29 and May 1, and that ejectment decrees had been granted during the Easter term to the number of 3,003?

Mr. GRANTHAM asked whether the right hon. Gentleman was aware that many tenants who were well able to pay their rents refused to do so under pressure of the Land League; and whether he would consider the propriety of simplifying the procedure for the recovery of rent in Ireland?

Mr. GLADSTONE: My attention is not commonly called to Papers such as those to which the hon. Member for Galway refers except upon some collateral suggestion; and I have not had the opportunity of considering these Returns. I am afraid it is the case that a considerable number of persons who are able to pay their rents are under sinister suggestions to avoid payment; but I cannot at this moment say whether it is desirable to take any steps, or, if any, what steps, in the peculiar state of the law, with regard to the recovery of rents in Ireland. In answer to the Question of the hon. Member for Carlow (Mr. Dawson), I believe it refers to a previous reply of mine, which reply seemed to invite some further information on the subject to which it referred. I can only say that, so far as the Members of the Government in London are concerned, and so far as my right hon. Friend the Chief Secretary for Ireland is concerned, at the time when he left London, we had not as yet received any such further information; but, undoubtedly, all information which we do receive will be for us a matter of very serious consideration. With respect to exceptional legislation, I would remind the House that our Compensation for Disturbance Bill last year met with no success. I fear that further legislation of the same kind now, while very uncertain in its own direct issue, would cause serious delay to other legislation which we hope may be of a more permanent character.

## POST OFFICE—THE MAILS IN ARGYLLSHIRE AND THE NORTH OF SCOTLAND.

**MR. FRASER MACKINTOSH** asked the Postmaster General, Whether he has now concluded negotiations for expediting the mails to and from Inverness and the North of Scotland; and, if so, whether he will be good enough to indicate the new arrangements?

**MR. FAWCETT** informed his hon. Friend that negotiations had been concluded for the acceleration of the mails to the Highlands; but he would not trouble the House with the details. He might say that the London night mail would arrive at Inverness an hour and a quarter, and at Wick two hours and 20 minutes earlier than at present, while the day mail would arrive at Inverness 50 minutes earlier. He had decided upon all arrangements as to arrival of the mails, and he could send the hon. Member a copy of them. He would only add that this improved postal arrangement would come into operation on Wednesday next, the 1st of June.

## ARMY (INDIA)—BENGAL STAFF CORPS —CASE OF CAPTAIN CHATTERTON.

**MR. GRANTHAM** asked the Secretary of State for India, Whether after the holding of the Court of Inquiry on the state of Captain Chatterton, as mentioned by him last Thursday, there were not general, brigade, and divisional orders issued in reference to his case, dated respectively March 15th, 16th, and 17th, 1869, and whether in consequence of such orders Presidency Surgeons Baillie and Brougham, and Garrison Surgeon Powell did not place Captain Chatterton in the officers' hospital at Fort William, Calcutta, for urgent surgical treatment, as the operation, however simple it might have been if performed in the September previous, had become a serious one owing to delay; whether Garrison Surgeon Powell has not certified that after full examination he found Captain Chatterton suffering from a contracted limb, for which he considered the division of the left tendon achilles necessary; that he attended him daily; prepared his papers, and proposed to take him before the Medical Board in Calcutta on the 28th April, with a recommendation that he be granted twelve months' leave of absence to visit England, in order that the operation might be performed under favourable circumstances, but that he was unable to take him before such court in consequence of an order from the India Council being served on him on the 26th April requiring him to dismiss Captain Chatterton from the hospital; whether that India Council order was not founded on the previous Despatch of January, and in ignorance of the opinions subsequently formed by the highest medical authorities in Calcutta; whether, in consequence of Captain Chatterton being so hastily and improperly turned out of the hospital, he was not left to find his way back to England to undergo the operation the best way he could; and, if he will allow this officer to be examined by the Medical Board at the India Office to report to the House whether Captain Chatterton is not now a cripple for life, notwithstanding five operations performed in England, in consequence of the delay in attending to his case in India, owing to the differences of opinion existing among the medical authorities in India?

THE MARQUESS OF HARTINGTON: Since this morning, when I first observed this Question on the Paper, I have not had time to examine the details of Captain Chatterton's case. The General Brigade and Divisional Orders issued with reference to it have never been received at the India Office, as it is not the practice to send such Orders home from India. I will have the matter carefully examined, in order to ascertain whether it requires further inquiry in India; but I cannot hold out to the hon. Member any hope that it will be possible to take further action in reference to it in view of the amount of consideration it has already received and the number of Secretaries of State before whom it has been brought.

### ARMY—THE 50TH REGIMENT.

MR. ARTHUR O'CONNOR asked the Secretary of State for War, If he will state the reason why the 50th Regiment of Foot has been kept at home since June 1869, while every other regiment in the service has had its tour of foreign service?

MR. CHILDERS: For the reasons which I gave to the House on the 23rd instant, when I was asked about the 58th Regiment, I do not think that the House will expect me to give detailed explanations as to the time during which the 50th Regiment has been at home beyond this—that there is nothing exceptional in the case.

### POST OFFICE—PURCHASE OF CHRIST'S HOSPITAL SITE.

MR. DIXON-HARTLAND asked the Postmaster General, If there is any truth in the report that has appeared in the newspapers that the Post Office authorities have nearly completed negotiations for the purchase of the site of Christ's Hospital; and, if not, whether they have any intention of endeavouring to secure it?

MR. FAWCETT: The great increase of business in the various departments of the Post Office has raised the question of providing improved accommodation. This question is under the consideration of a Departmental Committee, which has not yet arrived at any conclusion as to whether a new site for buildings ought to be acquired or not. In these circumstances, it is scarcely necessary to say that no negotiations have been entered into with regard to the purchase of Christ's Hospital.

SIR HENRY SELWIN-IBBETSON asked, whether the question had been considered of selling the present valuable site of the Post Office, and erecting a new Post Office which would be nearer the principal railway termini—in the vicinity, for instance, of Bedford Square?

MR. FAWCETT: Of course, the question has been carefully considered; but no definite conclusion respecting it has yet been arrived at.

### THE PUBLIC SERVICES—VOTE ON ACCOUNT.

MR. PARNELL asked the Prime Minister, Whether he proposed to take any Vote on Account before Whitsuntide?

MR. GLADSTONE said, he believed it would be necessary to do so.

### CENTRAL ASIA—THE TEKKE TURCOMANS.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether the Government had received any confirmation of the report that Russia had formally annexed the country of the Tekke Turcomans?

SIR CHARLES W. DILKE: We have received no information on the subject.

### LICENSING LAW (IRELAND)—PUBLICANS' CERTIFICATES.

MR. BIGGAR asked the Secretary to the Treasury, If it is the intention of the Commissioners of Inland Revenue to instruct their officers in Belfast to permit persons, whose applications for transfers and confirmations of publicans' certificates may not be heard until the annual licensing sessions on 30th October, to continue trading from the date their licences expire until that date, without requiring such person, as last year, to obtain ad interim authority from the Lord Lieutenant?

LORD FREDERICK CAVENDISH: The Board of Inland Revenue intend to instruct their officers not to interfere with the sale of intoxicating liquors in the cases mentioned by the hon. Member pending confirmation of the licences at Quarter Sessions upon deposit being made of the proper amount of licence duty. This course has been approved by the Lord Lieutenant, and will be pursued in all similar cases in future, so that it will no longer be necessary to apply to the Lord Lieutenant for his *ad interim* authority.

### EVICTIONS, &c. (IRELAND).

MR. A. M. SULLIVAN wished to put a Question to the Prime Minister with reference to an answer given by the right hon. Gentleman to the hon. Member for Carlow Borough; and, with the indulgence of the House, he would preface his Question with one or two observations, which would be confined within the narrowest possible limits. He desired to make a suggestion, or, rather, an appeal, to the Prime Minister with reference to the present lamentable state of things in Ireland, as to evictions on the one side and as to the retaliatory spirit in which the Land League was resisting them on the other. He could say that there were some Irish Members who deplored both of those evils, and who were honestly desirous of seeing some truce established which would spare the country the horrors which were now being enacted. He would, therefore, appeal again to the Prime Minister, Whether it would not be practicable to do something whereby the rush of evictions could be eased, and at the same time the people could be called upon to discharge their honest obligation to pay rent where they could? He was the ambassador of no one; but he could say that there were some Irish Members cordially acting with their Colleagues round about them in his part of the House who would heartily throw themselves into an effort to effect, in the interests of peace, an honourable adjustment of the terrible state of things prevailing in Ireland.

MR. T. P. O'CONNOR asked the right hon. Gentleman whether he was aware that at the meeting of the Land League held on Tuesday, the list of evictions for the past week was larger than any list made at any previous meeting of the League; also, whether his attention had been called to a statement in *The Irish Times* and *Freeman's Journal* that the Lord Chamberlain (the Earl of Kenmare), the Earl of Arran, the Earl of Courtown, the Earl of Charlemont, the Earl of Granard, Bishop Alexander, Sir W. M'Mahon, Sir Nugent Humble, and Lord Cloncurry were among those who were pushing things to an extreme against their tenants; and whether he would endeavour to establish something like a truce between the relentless landlords and their impoverished tenantry?

MR. MITCHELL HENRY wished, before the right hon. Gentleman replied, to ask him whether he was aware that at the meeting of the Land League which the hon. Member had just referred to, the gentleman who was in charge of the League (Mr. Kettle) suggested a propaganda for the non-payment of any rents whatever; whether he was aware that many persons had refused to pay any lawful rent, though admittedly well able to do so; and also whether he was aware that the evidence given before the Richmond Commission by Mr. Kettle showed what was the position he held as a tenant farmer.

MR. GLADSTONE: In answer to what has fallen from my hon. Friend the Member for Galway, I have to say that I heard with great dissatisfaction and pain generally, though not in the precisest terms, of the announcement at the Land League meeting to which he has referred. Every such announcement, of course, adds to the difficulty, not only of governing Ireland, but likewise takes away from the chances of bringing that country to a state of peace and prosperity. I have not received the particulars mentioned by the hon. Gentleman opposite (Mr. T. P. O'Connor). It may be my fault in his opinion, but I am not in possession of the most recent details on the subject; and I would suggest that, as the Chief Secretary to the Lord Lieutenant will be in his place on Monday, the hon. Member should postpone his Question till that occasion.

MR. T. P. O'CONNOR said, he would sooner make the appeal to the right hon. Gentleman himself. He asked him whether, in his opinion, the number of evictions by landlords did not largely increase the difficulty of governing Ireland at the present moment?

MR. GLADSTONE: It is extremely inconvenient that I should be called upon to give any answer with regard to the particular character of any set of evictions unless I had an opportunity of examining into the circumstances in detail. Harsh, cruel, and needless evictions are at all times most censurable, and now more than ever. But, on the other hand, it is impossible to expect or to ask that a class of men invested with legal rights, and believing that others are withholding from them dues which they are able to pay, should refrain from enforcing the rights which are given to them by law.

## PARLIAMENT—PUBLIC BUSINESS—THE DERBY DAY.

SIR WILFRID LAWSON said, he had seen it stated in the newspapers that if any Member moved the adjournment of the House over the Derby Day it would be moved at a Morning Sitting. It would be convenient if the Speaker would kindly state when that Motion would have to be made.

MR. MELDON pointed out that a Morning Sitting had been already fixed for to-morrow for the consideration of a Government Bill.

MR. SPEAKER said, that yesterday an Order of the Day was actually appointed for a Morning Sitting to-morrow, and therefore there would naturally be a Morning Sitting to-morrow. In answer to the Question of the hon. Baronet, he might say that the Motion for the adjournment of the House over the Derby Day would have precedence. That Motion, whether made by a Minister or by another Member, had, according to custom, always had precedence.

SIR WILFRID LAWSON asked whether that Motion would take precedence of all other Business at 9 o'clock?

MR. SPEAKER said, that the contingency of a Morning Sitting rather complicated the matter; and, as the question of adjournment over a given day related to the Business of the House, he thought it ought to have precedence over the other Business at the Morning Sitting, according to the usage of the House.

MR. R. POWER: Does the Prime Minister mean to move the adjournment himself?

MR. A. M. SULLIVAN: I appeal to the Prime Minister, in the interest of the Land Law (Ireland) Bill, not to move the adjournment.

MR. GLADSTONE: It is the only curtailment that has taken place in Government, or in the Government share of the Business of the House in late years, and I am very unwilling to sacrifice it. I do not propose to meddle in my official capacity in the adjournment over the Derby.

MR. R. POWER: Then, Sir, I beg to give Notice that on Tuesday, at 2 o'clock, I shall move that the House, at its rising, shall adjourn till Thursday.

SIR WILFRID LAWSON: And I shall oppose it.

## *ORDERS OF THE DAY.*

## CUSTOMS AND INLAND REVENUE BILL.—[BILL 136.]

(*Mr. Playfair, Mr. Chancellor of the Exchequer, Lord Frederick Cavendish.*)

COMMITTEE. [*Progress 23rd May.*]

Bill *considered* in Committee.

(In the Committee.)

### PART II.—TAXES.

Clause 20 (Grant of duties of Income Tax).

MR. GLADSTONE: I wish to say a word or two in regard to this clause, which I think may obviate the necessity for moving the Amendment which appears on the Paper in the name of the hon. Member for South Shropshire (Sir Baldwyn Leighton), and a further Amendment which, I believe, my hon. Friend the Member for Bedford (Mr. Magniac) proposed to move. I had no knowledge before Monday last, when we were in Committee upon this Bill, that this question was about to be raised in the House, and therefore I had no prior opportunity of considering it; but since that time I have examined it with some care, and I find two things. In the first place, I find that it is a matter which will not require legislation at all. It is entirely within the competence, and therefore within the responsibility of the Executive Government to give remission of taxation laid upon any commodity or any description of property in cases where it is sufficiently proved that the profit on which the tax has been levied has not been realized. In the second place, some explanation is required as to the method of doing it. Of course, I am quite sure my hon. Friend does not mean to apply that rule so as to alter the whole basis of the Income Tax in regard to the land which is in the occupation of landlords for the purpose of order, convenience, or support. He means only to meet what may be called the present distress, in consequence of which a great number of farms have been thrown upon the hands of the landlords, which landlords are doing the best they can to turn the land to good account, but who, it may often happen, fail to make the usual farm profits out of them. On this basis I think I can say that we should be prepared to take the responsibility of framing a measure which will meet the case; and we have in the Land and Income Tax Commissioners a body of gentlemen to whom would properly belong the duty of determining whether the loss has been incurred in such a way as to justify the remission. It is obvious, of course, that there must be some cognizance in the measure of the relief thus given; and an impartial tribunal such as I have named would be proposed by the Bill, which would not be likely to be prejudiced in favour of the Government. The Land Tax Commissioners have property in the district in which they act, and they are likely to be interested in the land itself. There is also another question—whether, in this case, it is not fair that estates should receive some corresponding relief in respect of local rates. The ground is exactly the same, and, moreover, there is a still closer analogy, and for this reason—wherever any land is in the hands of the owner as occupier, the practice of the Rating Department is to consider its value on the basis of the Poor Law valuation. It is substantially on this Poor Law valuation that any abatement would be made in respect to losses shown to have occurred, and in the case we are now considering there would certainly be strong reason why there should be a corresponding abatement in respect of local rates. This, however, is a matter which I should like to have time to consider, and in the course of the Session we can easily return to this question. In the meantime, I hope I have said enough to be satisfactory to my hon. Friends, inasmuch as I accept the principle of the proposal of which Notice has been given. As I have said, I believe that the Government have powers that are sufficient for the purpose, and that they do not require altering, and if hon. Gentlemen will return to the subject in the course of a few weeks, probably by that time I shall be able to give them distinct information in a more formal manner.

SIR BALDWYN LEIGHTON said, that he believed it would not be competent for him to move his Amendment in the present clause; but it would be competent, if necessary, to move it in Clause 21. But after the generous concession which the right hon. Gentleman proposed to make he did not intend to proceed with either of the Amendments which stood in his name. He should like to know, however, whether the proposal which the right hon. Gentleman made would take the form of a Treasury Minute?

MR. GLADSTONE: I think it would come through the Board of Inland Revenue, and it would probably be approved and accepted by the Treasury.

SIR BALDWYN LEIGHTON: The question of the remission of rent? [MR. GLADSTONE: Yes.] He (Sir Baldwyn Leighton) assumed that the order would have effect upon Income Tax, payable under Schedule A this year, in January last. He also assumed that specific directions would be given after the proposal had been finally determined upon, so that all persons interested might know that this concession had been made, and that they were entitled to relief; otherwise a great many persons might not be aware of the statement made by the right hon. Gentleman that night. These were points upon which he should like the right hon. Gentleman to give the Committee an assurance. There was, he believed, one precedent. In 1879 there was a remission of Income Tax upon rents not received, which he thought was on all fours with the present proposal. He would not say that it was exactly the same; but on that occasion the course taken by the Government was found to work very well. He had no doubt that the present proposal might be made to work equally well, and it ought to have reference to the payment which became due in January last. He presumed that the right hon. Gentleman would take care to have the matter sufficiently notified in the local papers.

MR. GLADSTONE: It will be necessary that I should examine into the legislation for the remission of taxes in bygone years. I shall have to inquire into the matter, and see whether there are any precedents or not. Undoubtedly, whether it is done by advertisement or not, I will take care through this House, and otherwise, that ample information shall be given.

Mr. J. G. HUBBARD said, the practice of remitting the Income Tax on rents which had not been received was commenced by the late Government; and he thought the present Government were entitled to credit for having sufficient discernment and generosity to follow the course then set. He believed the present Government had so far shown the sincerity of their intentions by actually making a return of the tax where there was evidence that the rents had not been realized. But the right hon. Gentleman had raised a subsidiary question having a very close connection with this, which was also one of very great importance—namely, the liability of property in this position to pay local rates. In many cases it would be found that the rental had been repeatedly reduced in consequence of bad seasons; and he thought there should also be a reduction in the amount of taxation to which the property was liable. He did not know, however, that the right hon. Gentleman could do more than promise to consider how far these equitable returns or remissions could be carried out. He might take this opportunity of saying that he had, early in the Session, asked for leave to bring in a Bill touching upon the question of taxation; but which, in view of the pressure of the great Irish questions, he had hitherto abstained from bringing forward. It would be within the knowledge of the right hon. Gentleman that the proceeds of landed property were at present divided between the encumbrancer and the real owner—he (Mr. Hubbard) believed that, in point of fact, the product was about equally divided. This fact disclosed a serious inequality in the incidence of their taxation. The capitalist who had a mortgage upon the estate, when he got his interest, had to pay Income Tax only on that interest, whereas the owner was not taxed upon the residue alone, but upon the whole of his outgoings; consequently, while the capitalist was only paying 5*d.* in the pound, the owner might be paying 10*d.* That was the state of things last year; but what was it now? The reduction of rent had been so great that the mortgagees in many cases were receiving the whole proceeds of an estate, and yet the unfortunate nominal owner was required to pay Income Tax, not on the residue he received, because he received no residue at all, but out of other funds. That was a question which ought to be considered, perhaps not at the present moment, but certainly in the future; and he trusted that his right hon. Friend, if he happened to be Chancellor of the Exchequer in another year, would take care, both as regards Imperial and local taxation, that all measures of legislation concerning them should be brought on at the same time, and that each should be in harmony with the other, so that in future the Queen's Taxes and the local taxes might be charged on the same principle, and levied through the same medium. This would economize labour, mitigate the grievances of which the taxpayers complained, and would tend to facilitate and make more pleasurable the duty both of levying and paying taxation.

Mr. MAGNIAC said, the right hon. Gentleman had earned the gratitude of a very large class who were interested in the concession he had made. He (Mr. Magniac) disclaimed any participation in the Amendment which had been placed upon the Paper by the hon. Baronet opposite (Sir Baldwyn Leighton). The principle contained in that Amendment was one which involved an entire repeal of the Income Tax; and that he, for one, was not prepared to advocate. All he desired was that the tax should be levied upon some principle of justice. Perhaps he might be permitted to say a word as to the best means of carrying out the concession which the Chancellor of the Exchequer proposed to make. He thought the best way would be to amalgamate Schedules A and B in regard to the owners of land. A remission made in that form would be most effective. He wished also to say that he was satisfied, and the agricultural Members would agree with him, that the worst service ever done for the farmers of England was placing them under Schedule B. If they had been placed under Schedule D, they would have been obliged to keep their own accounts, and they would not have been, as they generally were, in a state of uncertainty as to whether they were making any profits or not. He trusted that some arrangement might be made for getting rid of that difficulty in future, and for placing the Income Tax upon that particular class in a more just and equitable position. He cordially thanked the right hon. Gentleman for the concession he had made.

MR. HICKS said, that he also, in common with the hon. Member for Bedford (Mr. Magniac) and the hon. Baronet below him (Sir Baldwyn Leighton), wished to thank the right hon. Gentleman for the concession he had made. He desired, at the same time, to draw his attention to this fact—that the question did not merely apply to farms which the owners were obliged to take into their own hands in consequence of not being able to find proper tenants, but it also applied to land absolutely lying waste. There were in many parts of England farms that were not occupied either by a tenant or by the landlord. He understood that the whole question would be dealt with by the right hon. Gentleman the Chancellor of the Exchequer.

MR. RYLANDS said, there was one point with regard to this clause which was not satisfactory—namely, the way in which farm lands were dealt with under Schedule B. Of course, he was not raising the question with any idea of altering the present Bill; but, as he understood the matter, if a farm was assessed under Schedule B it was charged a duty of 2½*d.* on the rent; but if the occupier was able to show that, owing to bad seasons, he had not made any profit, or had not realized the full amount of rent, then the Commissioners were at liberty to reduce the assessment so as to give the farmer relief. There could be no objection to the farmers having relief in bad seasons, providing, like other traders in the country, they paid the higher rate of Income Tax when the seasons were good. The present arrangement appeared to be altogether objectionable. If the farmers were to have a reduction in bad times, to which he did not for a moment object, he thought they ought not to be put under Schedule B, but under Schedule D. Farmers should be treated like all other traders, and should be required to keep books like all other traders, and if it was shown that they had made a profit then they should pay Income Tax on that profit, and only have relief if they could show that they had made no profit at all.

SIR WALTER B. BARTTELOT wished to ask the right hon. Gentleman one question in reference to local taxation. The right hon. Gentleman, in the remarks he had made, threw out a hint about local taxes; and he (Sir Walter B. Barttelot) wished to know what the meaning of the right hon. Gentleman's remarks was, because, as he understood local taxation, the Government had no power to interfere or to deal with local taxation at all. If the right hon. Gentleman meant to suggest that local rates should be lowered in the interest of one class of persons, it might be found that everybody else would be disinclined to accept such a happy consummation for that particular class; and there would be, he thought, a great difficulty in making any satisfactory arrangement, unless the assessment committee agreed in their different districts to carry out the arrangement in some other way than it was carried out at present. What he would press upon the right hon. Gentleman was this—that he would do good service to the agricultural interest if he took care that local burdens were decreased by assisting local taxation by other modes of taxation than those which at present existed. This was in reality one of the most pressing questions of the present day, and until something was done in that direction he believed that no real relief would be given to the agricultural interest.

COLONEL RUGGLES-BRISE, before the right hon. Gentleman answered the question, wished to call attention to the position of landed property under Schedule A. Heretofore it had always been the custom to assess the property of the country every three years. The last valuation was in May, 1879, and there would be no fresh valuation until May, 1882. What he wished to ask the right hon. Gentleman was, whether he did not think it would be advisable to have a new assessment this year? There had been a complete revolution in the value of landed property throughout the country, and the Returns supplied by the Surveyor of Taxes in 1879 would be altogether at variance with those supplied in 1881. He would, therefore, suggest to the right hon. Gentleman that there should be a fresh assessment this year. He knew that it was not advisable that there should be annual assessments. An assessment every three years was the general rule. Assessments occasioned great trouble and annoyance, and involved a considerable amount of expenditure. Therefore, he would not advise annual assessments; but this year was an exceptional year, and he would ask the right hon. Gentleman to undertake that one should be made of the value of property under Schedule A.

MR. SCLATER-BOOTH would also like to have an explanation from the right hon. Gentleman as to what was exactly meant by the information he had conveyed to the Committee. He wished to know how the concession generously given to land in the occupation of the owners at the present time could be extended to any valuation for the purposes of local rates? Under the existing law there was a process by which any landlord holding land which produced no return could apply to the assessment committee and obtain a reduction of rates. If the Bill which he had introduced when the late Government were in Office had passed into law, an annual opportunity would have been afforded by which any person could have his assessment reduced every year on showing that there had been a decrease in the value of his hereditament. He certainly regretted that the measure was not enacted, and was not in force at the present moment. As his hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot) had pointed out, the effect of remitting and reducing local taxation in the case of one particular class of persons might produce dissatisfaction among other persons in the same parish whose property or trades might have been injuriously affected by the same causes—namely, bad seasons and general depression. He only wished to point out to the right hon. Gentleman that in extending the remission of the Property Tax to local rates also, he might be acting from an entirely different point of view and under altogether different circumstances.

SIR MICHAEL HICKS-BEACH said, that before the right hon. Gentleman replied he should like to ask a question in respect to the concession proposed to be made by the Government. He very much agreed with what had fallen from his right hon. Friend (Mr. Sclater-Booth) and the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) in regard to local rates; but what he wished to ask the right hon. Gentleman was this. He understood that it was intended by the Government to take the necessary measures for remitting Income Tax on Schedule A and Schedule B in cases where the farm was in the occupation of the owner against his will, and without his deriving a profit therefrom. But did the right hon. Gentleman mean to provide for the case of a landlord whose tenant had become bankrupt, and had failed to pay the rent he ought to have paid? This would be a case where, although the land was not in the occupation of the owner, he would have received no rent at all, and he was afraid that in these days it was a case that only too commonly occurred. He trusted the right hon. Gentleman would make some provision for such an occurrence.

MR. GLADSTONE: In reply to the last question by the right hon. Member for East Gloucestershire (Sir Michael Hicks-Beach), I may say that it is a matter which has not come under my consideration. My attention has been confined to the relief of the persons distressed alone, and has not been turned to the case of landlords whose tenants have become bankrupts. Under any condition of things a tenant may become a bankrupt or get into difficulties; but that is a case to be met by the ordinary law, and it is no part of the subject I have had under consideration. It will remain exactly where it does now. There is no question at all that any system of remission, in regard to local rates, must be done by course of law, and cannot be done by the Government; and, therefore, before any proposal can be made which is likely to affect the question of local rates, hon. Members, who are interested in the subject, will have ample opportunity for considering it. The whole matter has come upon me suddenly, and I have only been able to give it a very hasty examination. It only seemed fair that when we proposed to tax the income of the landowner we should do so on some principles of justice, and on the supposition that we were really dealing with income, and I simply suggested that if a man should not be taxed on an income he has not got, it would seem to follow that he should not be rated upon an income he has not got. I am very doubtful whether it would be advisable to alter the present system of assessment, and the machinery for levying and collecting the Income Tax. This machinery is difficult and complicated, and I should not certainly venture, on my own responsibility, to make any alteration until there had been a thorough and careful inquiry into the whole matter.

MR. ILLINGWORTH suggested that if the concession were given by the Government it should not be confined to the agricultural interest. The pressure was equally great in some of the manufacturing districts of the North of England. It would be very acceptable to employers of labour and gentlemen engaged in commerce in the manufacturing districts just now to have shorter periods in which the assessments might be levied. He thought the argument of his hon. Friend the Member for Burnley (Mr. Rylands) was unanswerable—that if remissions of this nature were to be made in adverse times they ought to abandon the present system of assessment, and insist upon the Property Tax being levied in full when times were good.

MR. BIDDELL asked the right hon. Gentleman the Chancellor of the Exchequer to explain the great difference there appeared to be in the taxation of the latter's farming constituents in Mid Lothian, and his (Mr. Biddell's) in West Suffolk. He was aware that the different modes of letting land would in some degree account for the difference between ten farthings in the pound and the seven which the Scotch paid. He was also aware that this difference had existed from the first institution of the present tax; but no time would make good an injustice. It would be best understood if he put the case of two farms of equal merit and size—the one in England, the other in Scotland. Take a farm of 400 acres in England, it would be taxed as follows:—Rent—say 25*s.* per acre—£500. Tithe—say 6*s.* per acre—£120. Total £620. From this total one-eighth was allowed to be deducted, £77 10*s.*, leaving a net total of £542 10*s.*, which, assessed upon at ten farthings in the pound, would give for the farmer to pay £5 12*s.* 10*d.* In Scotland, the rent would include the tithe and the parish rates, which, taking them at £50—2*s.* 6*d.* per acre—about the same in both countries, —would make a total sum of £670—for the Scotch farmer to be assessed upon, at only seven farthings per pound, and would give for him to pay £4 17*s.* 8*d.*, or about 15 per cent less than the English farmer. He knew how desirable it was to get on with the Bill, and therefore did not like to trouble the right hon. Gentleman; but proposed that he should explain the matter at some future stage or opportunity, more especially as the case involved figures suddenly put, and which possibly might be incorrect.

MR. GLADSTONE replied, that the difference had, as the hon. Member was aware, existed from the first, and arose from the Scotch farmer hiring under other terms, his rent including the tithe and half the rates; but he would suggest to the hon. Member to furnish him with his calculations, and he would be happy to explain the point at some future time.

Clause *agreed to.*

Clause 21 (Provisions of Income Tax Acts to apply to duties hereby granted) *agreed to.*

Clause 22 (Provisions of Income Tax Acts to apply to duties to be granted for succeeding year) *agreed to.*

Clause 23 (Assessment of Income Tax under Schedule (A) and (B), and of the inhabited house duties for the year 1881-1882, 32 & 33 Vict. c. 67) *agreed to.*

Clause 24 (Interpretation of "servant" and "other person" in exemption from inhabited house duty).

MR. ANDERSON moved, in page 10, line 25, after "1878," to insert—

> "Houses that are not strictly inhabited houses but which are institutions of a public or an educational character, and which can be called 'inhabited' solely because a servant or caretaker dwells in some small part of them, shall not be assessed to the inhabited house duty, except in respect of the annual value of such part of them as is in the actual occupation of the servant or caretaker, and if such annual value comes within the limits of the tax."

The Amendment was aimed at a practice which, in regard to the Inhabited House Duty, had long been looked upon as a grievance. The law had been interpreted by those who levied the Inhabited House Duty to mean that it should be levied on the full rental of the house, whether it was strictly an inhabited house or not, provided anybody lived in it at all. Thus a large public institution, worth, perhaps, £1,000 a-year, if it had as much as a caretaker living in it and occupying one or two rooms, was rated at its full rental. This had long been felt to be a great grievance. A few years ago the London merchants succeeded in passing an Amendment by which it was provided that merely having a caretaker living in a house should not subject a large establishment to the duty to the extent of the whole rental, provided that the establishment was used for purposes of gain; and it did appear to him that a large establishment not used for the purposes of gain had, *à fortiori*, a much stronger claim for relief than places used for gain. It was most unfair that such institutions as Museums, Colleges, Schools, or other public buildings of various kinds, should be charged the duty on their full rental value because it happened that a caretaker occupied a room in them. He had asked the right hon. Gentleman the Chancellor of the Exchequer a question in reference to this particular grievance a month or two ago, and the right hon. Gentleman replied that the Treasury instructed the tax collectors not to levy on educational establishments, and that they gave a wide and liberal interpretation to the term "educational establishments." But when he (Mr. Anderson) came to inquire into the facts of the case, he found that however much that might be the understanding of the right hon. Gentleman and the desire of the Treasury, the practice of the tax collectors was to levy the tax in a great many cases all over the country in a most capricious fashion. Some establishments were allowed to escape altogether, while others, in precisely the same position, were heavily taxed. He was informed that of late a new instruction had been sent out by the Treasury, and that the grievance would, to some extent, be mitigated. But unfortunately in one of the cases which had occurred there had been an appeal to the Court of Session, and the Court of Session decided that the tax was a justifiable statutory tax. Having been so decided by a Law Court, he was very doubtful whether a mere instruction from the Treasury would be sufficient to cause the practice to be discontinued in future. It would certainly be in the power of any tax collector to say that any instruction of that kind was not to overrule and set aside a decision of the Law Courts. He hoped, therefore, that the right hon. Gentleman would be willing to grant relief by a statutory enactment of the kind suggested by the Amendment, and he trusted that the words he proposed would be accepted.

Amendment moved,

In page 10, line 25, after "1878," to insert "houses that are not strictly inhabited houses, but which are institutions of a public or an educational character, and which can be called 'inhabited' solely because a servant or caretaker dwells in some small part of them, shall not be assessed to the inhabited house duty, except in respect of the annual value of such part of them as is in the actual occupation of the servant or caretaker, and if such annual value comes within the limits of the tax."—(*Mr. Anderson.*)

Question proposed, "That those words be there inserted."

Mr. GLADSTONE: My hon. Friend proposes this Amendment because he is afraid that, in consequence of a declaration of the law by the Court of Session, the authority of the Executive Government will not avail to give the necessary remission of duty. Now, the Executive Government were parties to obtaining that declaration of the law. They were unwilling that any statutory right should be established against them; but they see no difficulty in the relaxation of the conditions, and they are even disposed to add something to that relaxation. I can, therefore, assure my hon. Friend that he need be under no apprehension at all upon the ground he has stated—namely, that the declaration of the Court of Session will be an obstacle to giving this just relief in remission of the tax upon houses beneficially occupied by any person acting under the name of caretaker or servant. And the additional relaxation we propose to give is that in the case of buildings such as those referred to by my hon. Friend—buildings held in trust by municipalities for the advancement of either science or art—the assessment will be limited to beneficial occupation.

Mr. ANDERSON said, after that declaration by the Chancellor of the Exchequer he should not press his Amendment.

Mr. W. FOWLER wished to call the attention of the Chancellor of the Exchequer to a small but important point in connection with this clause. There were many large buildings in the City of London in which more than one caretaker was required, and under the peculiar wording of the Act of 1878, it had been suggested that in cases of that kind the house should be dealt with as an inhabited house. That appeared to him to be an absurd proposition, and he trusted the right hon. Gentleman would say that under this Act it was not intended to put it in practice.

Amendment, by leave, *withdrawn.*

LORD FREDERICK CAVENDISH said, the matter should receive attention.

Clause *agreed to.*

Clause 25 (Amendment of 43 & 44 Vict. c. 19, s. 53) *agreed to.*

Clause 26 (Provisions as to assessment to inhabited house duty on houses let for short periods).

MR. WHITLEY said, he did not think attention had been sufficiently directed to this clause, nor did he believe that hon. Members fully realized the effect which it would have upon the owners of property, especially in our large cities and towns. The Inhabited House Duty was essentially a tax upon occupation; but the effect of this clause would be to transfer the incidence of taxation from the occupier to the landlord. It was difficult to realize the extent of the prejudicial result which this proposal would have with regard to property in large towns. He believed almost every hon. Member connected with those places would know that, say, eight-tenths of the houses in them were not let in annual tenancies, but at three, six, and even one month's notice. If, therefore, the owner of property were made liable not only for Property Tax, but also for Inhabited House Duty in cases where he might not receive his rent, their position would be greatly prejudiced. He was convinced, from the representations made to him from many quarters, that the owners of property in large towns had no idea of the extent to which they would suffer. They would be unable to protect themselves, because it was almost impossible to get tenants for their houses, and it would necessarily bear very hardly upon them if they were exposed to this extra taxation. If the right hon. Gentleman the Chancellor of the Exchequer would ascertain the vast amount of property held in every large town upon occupation of under 12 months, he would see that his proposal would produce a very serious injury to the owners of property therein. For that reason he appealed to the right hon. Gentleman to reconsider the clause, which, as it stood, simply called upon one class to pay a tax that another class ought to pay, and agree to its postponement.

MR. T. COLLINS agreed with the hon. Member for Liverpool in thinking that the Committee were not at all aware of the effect which this clause would have. For his own part, having been a Commissioner of Income Tax for many years, he had never heard of such a proposal as this being made. Certainly, he did not think the clause was understood throughout the country as making the owner, instead of the occupier, liable for Inhabited House Duty if the house was let for any period less than a year. Many houses in Yorkshire were let ont hree months' tenancies. The Inhabited House Duty was essentially a tax levied upon the occupier; but the country was now given to understand that the owner was responsible. In view of the great importance of the proposal in its effect upon property throughout the country, he suggested that the best course would be to omit the clause from the Bill, and then, at some future time, when the country had fully considered it, it might, if necessary, be brought up again. It had rather the appearance of stealing a march upon the country to make the owner liable for the occupier's tax.

MR. ALDERMAN LAWRENCE pointed out that the Inhabited House Duty was always paid by the occupier in the case of houses let upon lease. That was not the case with the Land Tax, which was always paid by the landlord, unless he covenanted with the tenant to the contrary. He did not think the Treasury ought to impose further conditions upon landlords in order to make them liable for default of the tenant more than they were at present; but, according to this clause, every landlord would be liable for House Tax in cases where the property was let for a less term than one year.

MR. GREGORY said, that the term "Inhabited House Duty" implied occupation, and had, therefore, always been the tenant's tax. The distinction between the landlords' taxes and the tenants' taxes was perfectly well known at present; but, as he understood the clause, it would entirely relieve the occupier from the payment of a tax which had always been paid by him and throw it upon the landlord, notwithstanding any previous contract that might exist between the parties.

Mr. GLADSTONE said, the object of the clause was to prevent the recurrence of loss, which, under the present arrangements, had occurred to the Revenue. At the same time, he should be sorry that a proposal such as that contained in this clause should be adopted without full consideration on the part of the House; and he was, therefore, willing that it should be omitted from the Bill.

Clause, by leave, *withdrawn.*

Part III.—Stamps.

Clause 27 (Stamp duties to be under the care and management of the Commissioners of Inland Revenue) *agreed to.*

Clause 28 (Grant of duties in respect of probate and letters of administration, and on inventories).

Mr. Alderman LAWRENCE contended that the duty under the next grade of the scale would fall more heavily on estates of between £300 and £500 than those in any portion of the scale; and he therefore hoped the Chancellor of the Exchequer would receive with favour his proposal to extend the duty of £1 on every £50 to those estates.

Amendment moved, in page 12, line 19, to leave out "£300," and insert "£500."—(*Mr. Alderman Lawrence.*)

Mr. GLADSTONE said, he was not convinced that the operation of the duty would be more severe at the particular point indicated by the Amendment of the hon. Member than at any other; but as it would afford relief to a large number of persons, and as there would be no great loss to the Revenue in consequence, he was willing to extend the limit of £300 to £500.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill."

Mr. GREGORY said, the Committee would be aware that the Probate Duties were considerably raised last year by the late Chancellor of the Exchequer. He had upon that occasion taken some objection to the measure, but had been unable to pursue the subject fully in consequence of the dispersion which occurred at the General Election. There was, however, no doubt that the former alteration had a very considerable effect in the way of increasing the charge on estates. The present Bill now proposed a further advance. Upon an estate under £4,000 the old duty was £80; it was, under the arrangement of the late Chancellor of the Exchequer, raised to £130, and the present Bill would increase the duty to £147. The original duty on an estate under £10,000 was £180; under the present Bill it would be £297. In the case of estates under £30,000, the old duty was £400; it was raised last year to £690, and would now be increased to £897. He admitted that lineal descendants would be relieved—that was to say, those in direct descent would be relieved to the extent of 1 per cent; but, as he understood it, there would be no relief for those in remoter degrees of consanguinity. This alteration was very material in view of the possibility of the Probate Duty being extended to real estate, and should be borne in mind by those who were in favour of that change. He did not raise any objection to the amount of the duty, but thought it right that the Committee should understand the real effect of the clause.

Mr. GLADSTONE said, the aim had been to make the scale almost entirely equal. He felt rather dissatisfied with the arrangement proposed, because the ½ per cent Probate Duty was not the exact equivalent of the Probate Duty which had been given up. It was something less, and if they had not been led by a desire to keep to round numbers the charge would have been a little higher. It was perfectly true that the change did not operate with perfect equality as regarded lineals and collaterals; but this change had been instituted on the principle that the residue generally went to the lineal. The hon. Gentleman opposite (Mr. Gregory) might be assured of the correctness of the general assertion that the lineals would receive relief somewhat greater than the tax, while they would have no expense in connection with the payment of the duty. On the other hand, the Department would get earlier payment.

MR. DODDS pointed out that under the proposed assessment every £100 had to bear its proper share of the duty, and that the blots which existed in the old system, and had been complained of for so many years, were now got rid of. No doubt, some estates had now to pay which formerly escaped duty altogether.

MR. ALDERMAN LAWRENCE said, that the clause made no alteration whatever with regard to the legacies received by collaterals, who would have to pay the same amount of duty as before. They would have to pay more only in case they were residuary legatees. He hoped the principle would be brought to bear upon freehold legacies, which now had to pay an infinitely smaller amount than they ought to pay.

MR. WHITLEY wished to ask the Chancellor of the Exchequer whether it was proposed that the duty should be paid upon affidavit instead of on probate? At present the duty had to be paid before it was possible to ascertain the value of the estate, and in case of error the practice was to pay back the excess in fees. Of course, in the case of a mistake—say, of £1,000—it would be very inconvenient to receive the overpayment in this way and not in cash. If it was thought desirable to change the present practice, and transfer the duty from probate to affidavit, perhaps some directions might be given to the officers to settle the form of the affidavit before the Probate Duty was paid. If the money was returned in fees it would cause great difficulty to the Profession. He had heard no reason for the change that was proposed up to the present time, and should, therefore, be glad to receive some explanation with regard to it. Numbers of representations had been made to him from the Profession, and he was sure that the removal of the difficulties to which he had referred would be received with great satisfaction.

MR. DODDS said, he was in a position to re-assure the hon. Member for Liverpool (Mr. Whitley). He had brought this point under the attention of the authorities at Somerset House, and had received from them very satisfactory assurances as to the way in which the proposed alteration would be worked. The conclusion at which he had arrived, after fully considering the question, was, that there would be no difficulty whatever in connection with it. Some difficulty existed at the present time in ascertaining the amount of the estate, but, in future, payment would simply be made upon the affidavit; the duty, however, would not be charged until all preliminaries were settled—until it was ascertained whether there were any difficulties with regard to probate, and whether any *caveat* was entered. He was assured there would be no inconvenience under the new system. On the contrary, there would be the benefit of deducting the debts in a way that was not before practicable. For his own part, he was grateful to the Chancellor of the Exchequer for this benefit.

Clause, as amended, *agreed to.*

Clause 29 (Power to deduct debts and funeral expenses when deceased died domiciled in the United Kingdom).

MR. GREGORY said, the object of the Amendment he was about to move was to insure that if affidavits were made of the debts of the deceased, they should not be taken as an admission of liability, as between the creditor and the estate or representative of the deceased. On applying for probate a person had to swear in an affidavit that such and such amounts were due to certain persons. But it was well known to be impossible, in many cases, immediately after the death of the deceased to ascertain what the debts were. Many of the debts sworn to might be doubtful, and be only confessed afterwards, in the course of administration. In case of litigation it might materially prejudice the estate of a debtor to have it put in evidence that he had made an affidavit to the best of his knowledge and belief that certain debts were due by him. If the Solicitor General would say that the party in question would not be prejudiced, he would give up his Amendment. He regarded it as a most serious matter that the affidavit should be held to be an admission of liability; and as the insertion of his Amendment would, at all events, do no harm, he trusted it would meet with the approval of the right hon. Gentleman. He did not think it afforded anything like an adequate protection to say that the admission made in the affidavit would be withheld by the office, which could be compelled by the ordinary process to produce it.

Amendment moved,

In page 13, line 9, after the word "exhibited," to insert "but such Schedule, or any statement therein, shall not be taken as an admission or evidence of a debt as between a creditor and the estate or representative of the deceased."—(*Mr. Gregory.*)

Mr. DODDS thought the Amendment would encourage laxity on the part of executors in the preparation of statements of debt, and that it might induce some persons to put in claims for which there was no foundation. On the whole, he did not think the Amendment was really required, and he trusted his hon. Friend would withdraw it.

Mr. GLADSTONE: The whole change we are making is a change for the benefit of the taxpayer. In giving him that relief we run the risk, more or less, of his entering debts in order to get a large remission of the Probate Duty; and we must, therefore, have some security for correctness in the case that debts are not put in for that purpose. If a man has a debt about which he is uncertain, no doubt his proper course is not to enter it, but to wait and claim rebate afterwards. The hon. Member will see the danger of persons being encouraged to include debts not meant to be acknowledged, without suffering any inconvenience whatever; and it is, therefore, quite necessary that the effect should be against him, as far as it goes, in order to prevent the abuse of the very considerable opportunity we are giving for a somewhat culpable laxity.

Mr. GORST said, the hon. Member for Stockton (Mr. Dodds) seemed to be entirely at issue with the Chancellor of the Exchequer on the effect of this clause. While the former hon. Member argued that the affidavit would not be an admission of liability as between debtors and creditors, he had understood the right hon. Gentleman to indicate that it would be an admission. In this conflict of great authorities, he thought the Committee would be instructed by an opinion from the hon. and learned Solicitor General. If he would state whether or not the affidavit would be an admission as between debtors and creditors, they would be better able to appreciate the arguments of the hon. Member and the Prime Minister.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he did not think there was any necessity for him to inform the Committee whether or not the affidavit would constitute an admission of debt. At the same time, he was quite unable to see the slightest inconsistency between the remarks of the hon. Member for Stockton and those of the Chancellor of the Exchequer. He should, therefore, not attempt to reconcile a difference that he was unable to distinguish.

Mr. GREGORY was understood to say he could only gather from the observations of the hon. and learned Solicitor General that he did not differ from him with regard to the admission made by the affidavit. It was to meet the cases of persons who were willing to give the best statement they could under the circumstances that he wished the Amendment inserted. He believed that the scheme of the right hon. Gentleman would have little practical operation, as it would be impossible for representatives to depose to debts until they had investigated them, or for the office to accept statements of debts without the subsequent production of vouchers for the payment of them.

Mr. Alderman LAWRENCE would point out to his hon. Friend (Mr. Gregory) that all he had been alluding to with regard to defrauding the Revenue might occur even now in the matter of partnership. When a man had been a partner in a concern, the Inland Revenue Department knew nothing about his debts, and all that the hon. Member had said about a statement concerning them being inaccurate would apply to every statement of any partner.

Sir STAFFORD NORTHCOTE could not agree with the statement of the hon. and learned Gentleman the Solicitor General, who said that he could see no difference between the statement of the Prime Minister and the hon. Member for Stockton (Mr. Dodds). The statement of the hon. Member for Stockton was that these words that his hon. Friend proposed would do no harm, and the statement of the right hon. Gentleman the Prime Minister was that they would do a great deal of harm—at any rate, he had understood that to be the right hon. Gentleman's argument. This showed a material difference in the appreciation of the two. The words the hon. Gentleman proposed were open to the objection taken by the Prime Minister—namely, that the risk the Revenue must run was so great that it ought to be guarded in every way that could be thought of. If the representatives of the Exchequer told them that they required this safeguard they ought to be very chary indeed in depriving them of it. Though everyone admitted the great boon that was conferred, and, in a certain sense, the act of justice that was done in levying the Probate Duty so as to exclude debts, yet the risk was very considerable. They were making an experiment, and the Government should be very cautious and careful in every step they took.

MR. RYLANDS said, this was not so much a question of law as a matter of common sense. Under this Bill they were enabling parties to gain considerable advantage by making an affidavit of the amount of the debts due from them—by setting forth in an affidavit a schedule of their debts. "But," said his hon. Friend opposite, "let them have the full benefit of this affidavit as against the Government, by its being accepted as a positive evidence of the amount due from them; but take care not to put them to any disadvantage in the event of their putting down a debt which is not actually due, or, at all events, an amount which is in excess of that which they have to pay." The matter was one which did not admit of argument, and if the parties were prepared to make an affidavit, he thought they might fairly be left to the consequences of their position.

MR. GORST said, the speech of the hon. Member for Burnley (Mr. Rylands) showed how desirable it was that the Committee should be enlightened as to the law on the subject by Her Majesty's Solicitor General. The hon. Member for Burnley argued in favour of the Amendment of the hon. Gentleman (Mr. Gregory), which was advanced on the ground that the Schedule would be taken as an admission of liability. He wished to know from the hon. and learned Solicitor General whether that was the case? Surely the Committee were entitled to know, as a matter of law, whether the Amendment was or was not necessary. The hon. Member (Mr. Gregory) wished for an answer to the question. He (Mr. Gorst) was happy to see that the hon. and learned Attorney General had just come into the House; and now, perhaps, he would tell them whether, as a matter of law, the Schedule of this account would or would not be taken as an admission between the creditors and the executors. On receiving his answer, the Committee would know whether the Prime Minister ought to refuse the Amendment on the ground that it was desirable that the Executive should be under every possible safeguard, or whether he should accept it on the ground that it would make clear that which would otherwise be obscure.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) found it very difficult to believe that the hon. and learned Member who had just sat down was really serious in this matter. Of course, this statement would be admissible, and would be evidence as against the person making it. It would not be conclusive evidence, still it could be used for what it was worth. He had not answered the question before, because he had not thought the hon. Member was serious in putting it.

MR. GREGORY said, he should be happy, after what had been said, to withdraw the Amendment.

MR. WARTON said, he experienced some difficulty in rising to speak on this question after the statement of the hon. Member for Burnley (Mr. Rylands) that this was not so much a question of law as a matter of common sense. He was afraid to say anything, as the hon. Member said the matter did not admit of argument, and had pronounced upon it in the spirit of "Rome has spoken, and the cause is finished." Infallibility had at length spread to England, and was, seemingly, concentrated in the hon. Member. He (Mr. Warton), however, claimed to possess an opinion of his own on the matter, and it was that the question really did, to some extent, admit of argument. There was one reflection which he should like to submit to the hon. Member for Burnley and the Committee, and it was this—that if any representative or executor should be so foolish as to put down a wrong statement of debts, he would be running a very great risk for a very small gain. No one would run such a risk for the sake of saving 1 per cent, or, perhaps, ½ per cent on £100, £200, or £300. This consideration, perhaps, had not struck the hon. Member for Burnley; but now that he was aware of it, perhaps he would tell the Committee, presently, whether it made any impression on him. The hon. Member seemed to think that the amount the State might be defrauded of was a small matter. He (Mr. Warton) complained of the waste of time on the part of the occupants of the Front Ministerial Bench. First, they made a pretty little speech refusing to accept the Amendment, but saying nothing on the legal question; and then, when repeated protests were made as to the absence of an opinion from the Government, they got up in order to say that they did not think hon. Members meant what they said. He was glad to hear that what he was saying with regard to waste of time met with the approval of the hon. Member for Stockton (Mr. Dodds); and he hoped, therefore, that the hon. Member would not again be led into a useless wrangle. Let the Committee bear in mind that a person would run a very great risk by putting down a fictitious debt for the purpose of saving a mere trifle.

Mr. GREGORY felt that he had not received that support which would entitle him to press the Amendment to a division. As to what had fallen from the hon. Member for Burnley (Mr. Rylands), he would point out that the affidavit would be mere *primâ facie* evidence, and that they ought to require vouchers to be prepared for any subsequent action.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 30 (As to forms of affidavit).

Major NOLAN said, he had a question to propose on this clause, which he had intended to bring up on Report; but perhaps the Government would tell him whether he ought to proceed with it now. The Inland Revenue Commissioners were to sell stamps, and he complained that the Government were changing the method of disposing of stamps without making the necessary compensation in the case.

Lord FREDERICK CAVENDISH said, that, according to the proposal, postage stamps and receipt stamps could be used alternatively.

Major NOLAN said, it included other forms of stamps. He was informed that it was a question affecting the distributors of stamps, and he was not certain how the matter stood.

Lord FREDERICK CAVENDISH: The only change is in another clause.

Clause *agreed to.*

Clause 31 (Probate or letters of administration to bear a certificate in lieu of stamp duty).

Amendment moved, in page 13, line 34, after "Probate," insert "and;" and after "Matrimonial," leave out "and Admiralty."—(*Mr. Gladstone.*)

Mr. WARTON: I should like to know what this Amendment means?

Lord FREDERICK CAVENDISH: It is only a verbal alteration.

Amendment *agreed to.*

Amendment moved, in page 13, line 37, leave out "setting forth," and insert "showing."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 13, line 38, after "delivered," insert "and that such affidavit, if liable to stamp duty, was."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 32 (Provision for return of duty overpaid).

Mr. DODDS said, he had several Amendments to this clause; but it would save time if he mentioned them all at once, and not separately as they arose. The clause, as it was drawn, seemed to him scarcely so liberal as it ought to be; therefore, he had given Notice of these Amendments, which touched the point the Committee had been discussing—namely, the amount to be deducted from the deceased's estate on account of debts. His first Amendments were to leave out certain words in order to insert others of a much more comprehensive character.

Amendment moved,

In page 14, line 4, after "deceased," insert "at the time when the grant was made, or if at any time within three years after the grant, or within such further period as the Commissioners of Inland Revenue may allow, it shall appear that no amount or an insufficient amount was deducted on account of debts and funeral expenses."—(*Mr. Dodds.*)

Amendment *agreed to.*

Mr. DODDS said, he had understood that the preceding and the following Amendments would be accepted by the Prime Minister. The adoption of the last Amendment had rendered unnecessary one standing in the name of the hon. Member for East Sussex (Mr.

Gregory), which was to insert after "deceased," the words "it shall be shown that a sufficient amount has not been deducted or allowed for the debts of the deceased."

Amendment moved, in page 14, line 9, after "value," insert "or, as the case may be, the amount or corrected amount of deduction."—(*Mr. Dodds.*)

Mr. GREGORY: As the hon. Member has said, I have an Amendment down before this; but I do not propose to move it.

Amendment *agreed to.*

Amendment moved,

In page 14, line 13, after "deceased," leave out to "certificate," inclusive, in line 14, and insert "were at the time of the grant of probate or letters of administration of greater value than the value mentioned in the certificate, or that any deduction for debts or funeral expenses was made erroneously."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 33 (Provision for payment of further duty).

Amendment moved,

In page 14, line 17, after "stamped," leave out to "excess," in line 19, inclusive, and add "for the amount which, with the duty (if any) previously paid on an affidavit in respect of such estate and effects, shall be sufficient to cover the duty chargeable according to the true value thereof, and shall at the same time pay to the said Commissioners interest upon such amount."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Mr. DODDS said, the next two Amendments, which stood in his name, were covered by the alterations already made in the Bill, therefore he would not move them. The next was in the name of the Prime Minister.

Amendment moved,

In page 14, line 20, after "grant," insert "or from such subsequent date as the Commissioners may, in the circumstances, think proper."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 14, line 25, after "ascertained," insert "or, as the case may be, the corrected amount of deduction."—(*Mr. Dodds.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 34 (Provisions as to obtaining probate, &c., where gross value of estate does not exceed three hundred pounds).

Amendment moved, in page 14, line 28, leave out "deceased."—(*Mr Dodds.*)

Amendment *agreed to.*

Amendment moved,

In page 14, line 28, after "person," insert "(inclusive of property by law made such personal estate and effects for the purpose of the charge of duty, and any personal estate and effects situate out of the United Kingdom)."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved,

In page 14, line 28, after "person," insert "dying on or after the first day of June, one thousand eight hundred and eighty-one."—(*Mr. Dodds.*)

Amendment *agreed to.*

Amendment moved, in page 14, line 31, after "deliver," insert "to the proper officer of the court or."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 15, line 3, after "probate," insert "and."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 15, line 3, after "matrimonial," leave out "and Admiralty."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 15, line 7, after "of," leave out "the notice by the officer," and insert "notices by officers of Inland Revenue."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 15, line 11, leave out "the officer is," and insert "officers of Inland Revenue are."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 15, line 13, after "president," insert "or judge."—(*Mr. Gladstone.*)

Amendment *agreed to.*

The CHAIRMAN: The next Amendment is in the name of Mr. Patrick Martin, and is as follows:—

"Clause 34, page 15, line 18, add—"Provided however, That in every case where district registrars are now paid in Ireland by fees, and it shall be shown to the satisfaction of the Commissioners of Her Majesty's Treasury that such registrars may be damaged under the provisions of this section, then the Commissioners shall direct that each such registrar respectively shall be paid a fixed salary equal to the net annual amount of profits derived by them from such fees, on an average, of five years immediately preceding the commencement of this Act, or sums of money, at the option of the Commissioners, equal to the damage sustained by each such registrar.'"

This Amendment cannot be put, as it proposes to increase the taxation of the people, and that increase can only be proposed by a Minister of the Crown, and not by a private Member.

Clause, as amended, *agreed to.*

Clause 35 (Provision as to inventories where gross value of estate does not exceed three hundred pounds).

Amendment moved,

In page 15, line 19, leave out from beginning of Clause to "seventy," in line 24, inclusive, and insert "'The Intestates, Widows, and Children (Scotland) Act, 1875,' and 'The Small Testate Estates (Scotland) Act, 1876,' as amended by 'The Sheriffs' Court (Scotland) Act, 1876.'"—(*Mr. Gladstone.*)

Amendment *agreed to.*

Amendment moved, in page 15, line 25, leave out "deceased."—(*Mr. Dodds.*)

Amendment *agreed to.*

Amendment moved,

In page 15, line 25, after "person," insert "dying on or after the first day of June, one thousand eight hundred and eighty-one."—(*Mr. Dodds.*)

Amendment *agreed to.*

Amendment moved,

In page 15, line 27, after "pounds," insert "whoever may be the applicant for representation, and wheresoever the deceased may have been domiciled at the time of death."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 36 (Effect of false statement of value as under three hundred pounds).

Amendment moved,

In page 15, line 34, after "obtained," leave out to "value," in line 37, inclusive, and insert "in conformity with either of the two preceding sections."—(*Mr. Gladstone.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

*The Chairman*

Clause 37 (Relief from legacy duty in cases under three hundred pounds) *agreed to.*

Clause 38 (Power to Commissioners to require explanations and proof in support of affidavit or inventory).

Mr. GREGORY did not by any means object to this clause; on the contrary, not only did he think the Commissioners would have power to alter an account, but he thought they should be required to do so where necessary; but what he did object to was the want of limitation as to time. As the clause stood, it was totally indefinite in that respect, and an executor or administrator might be liable for all time to be called on for a further account. If a man was liable to be called on at any time, practically, he could never hand over the residue to the legatees. He thought, therefore, that some period should be fixed during which the Commissioners had power to call upon an executor for an account, and, to his mind, the period should be one year after the death of the deceased. By that time the Commissioners ought to have made up their minds as to the accounts of the deceased; consequently, it seemed to him that his proposal was a reasonable one.

The CHAIRMAN: Does the hon. Member move the Amendment on the Paper?

Mr. GREGORY replied in the affirmative.

Amendment moved,

In page 16, line 11, leave out "and from time to time," and insert "within one year after the death of the deceased."—(*Mr. Gregory.*)

Lord FREDERICK CAVENDISH hoped the hon. Member would not press the Amendment. In the opinion of the Revenue authorities the clause was necessary for the proper protection of the Revenue. Its absence might lead to fraud.

Mr. WARTON trusted his hon. Friend would press the Amendment. It was absurd for the noble Lord to talk of fraud; but perhaps it would be well if the hon. Gentleman (Mr. Gregory) would consent to give a little more time—say two years—in which the executor would be required to act.

Mr. WHITLEY thought it would be better to allow two years. Some time ago he was executor, and paid the duties according to the demands of the Inland Revenue Office. Two years after that he wound up the estate; but then a new clerk had been appointed in the Office, and he said the authorities were of opinion that other duties were to be paid. An executor was placed in a very difficult position when, after he had paid what were understood to be sufficient duties, he was called upon to pay additional duties. Two years would be enough time to allow, and during that period he ought to be able to answer all questions.

Lord FREDERICK CAVENDISH said, at any rate, it seemed clear that it would not be proper to accept the Amendment as it now stood. If the hon. Gentleman would accept the words "within three years from the date of probate" he would consent to the Amendment.

Mr. DODDS suggested that the Amendment should take the following form:—"Within three years after the grant of probate or the letters of administration."

Mr. Gregory and Lord Frederick Cavendish signified their assent.

Amendment amended, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 39 (Grant of duties on accounts of certain property).

Mr. GREGORY moved, in page 16, line 26, after "made," leave out "by any person so dying," and insert "after the first day of June, one thousand eight hundred and eighty-one." The object of the clause was to extend the payment of Probate Duty to voluntary settlements. He did not object to such extension hereafter, but did not believe duty ought to be levied upon settlements made heretofore. The effect of his Amendment would be that the settlement must be made after the 1st of June, 1881; upon any made prior to that date no duty could be charged.

Amendment moved,

In page 16, line 26, after "made," leave out "by any person so dying," and insert "after the first day of June, one thousand eight hundred and eighty-one."—(*Mr. Gregory.*)

Lord FREDERICK CAVENDISH said, if the hon. Member would read the clause he would see it only applied in cases of those settlements made within three months of the death of the deceased. It would, therefore, apply in an infinitesimal number of cases, and, except as a matter of principle, the change was of no great importance.

Mr. LEWIS remarked, that the noble Lord had answered the well-founded objection of the hon. Gentleman (Mr. Gregory) by saying it was limited by the three months' clause at the foot. He had not been able to look critically into the matter; but if it was so insignificant why did not the noble Lord give way? The Committee could not be too careful, especially in matters connected with property, in objecting to retrospective alterations. It might be in this case, as the noble Lord observed, that the clause only applied to those settlements made within three months of the death of the deceased; but the Committee must remember that in every one of these cases they were establishing precedents which, on subsequent occasions, would be cited. As to the question of voluntary settlements, the Legislature had advisedly abstained for years past from inflicting upon a person a penalty for dealing definitely with his property. It had distinctly refused to charge the same Stamp Duty upon these settlements as it did upon property left by will. Why should not the man have the benefit? The noble Lord said he intended to alter the system; but he would only do so to an infinitesimal extent. The Committee were entitled to say—"Don't inflict new burdens on the people retrospectively, and don't alter a burden which is properly payable on a particular transaction, even three months after it occurred, by increasing the duty which the Legislature has settled upon it." It seemed to him his hon. Friend was not only right in principle, but from a common sense point of view.

Mr. WARTON said, this was only another instance of the injustice of the policy of the present Government. He hoped the noble Lord would respect the rights of property, and agree to the Amendment. If not, the Committee ought to go to a division.

Mr. WHITLEY asked if it was worth while to complicate the clause for the purpose of catching people just three months before their death. As he understood the noble Lord, all settlements were good except those made three months before death? In his opinion, it would be wise if the clause were made to read "all settlements made before the passing of the Act."

Amendment *negatived.*

Lord FREDERICK CAVENDISH moved, in page 16, line 41, after "interest," insert "in such property."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 40 (Delivery of accounts on oath) *agreed to.*

Clause 41 (Double duty payable in case of default) *agreed to.*

Clause 42 (Cesser of legacy and succession duties at the rate of one per cent. in certain cases) *agreed to.*

Clause 43 (Charge of legacy duty on legacies not amounting to twenty pounds).

Mr. DODDS moved, in page 18, line 3, after "of residue," to insert—

> "Under the will or the intestacy of a person dying on or after the first day of June, one thousand eight hundred and eighty-one."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 44 (Power to Commissioners to accept composition for legacy duty under a will).

Mr. DODDS, with the view of giving more elasticity to the clause, moved in page 18, line 12, after "names," to insert "or description of class."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

*Miscellaneous.*

Clause 45 (Reduction of stamp duty on silver plate).

Lord FREDERICK CAVENDISH moved the omission of the clause.

Clause *omitted.*

Clause 46 (Amendments of the Stamp Act, 1870) *agreed to.*

Clause 47 (Stamp duty on transfers of county stock) *agreed to.*

Clause 48 (Stamp duty on stock certificates to bearer) *agreed to.*

Clause 49 (Stamp duties of one penny may be denoted by postage stamps, and vice versâ).

Major NOLAN said, he understood that under the new regulations the Post Office would appoint the distributors of stamps; and, therefore, those people who had hitherto distributed stamps would lose a considerable amount yearly. He wished to know if the Government would take the case of these people into consideration. The justice of the case might be met by a small compensation. The Government were making a change which, on the whole, would be beneficial; but in carrying it out no one interest ought to be prejudiced.

Lord FREDERICK CAVENDISH said, the vested interests in the sale of stamps appeared very small. The House had always felt it to be its duty to make an alteration in respect to stamps without having to compensate the sellers of stamps. The reform now proposed was much needed, and he could not recognize any vested interests.

Mr. LEWIS asked if it was possible to make any arrangement as to the destiny of the revenue from stamps when issued? He did not see how the difficulty was to be got over; but it appeared to be a complication which was most unfortunate. He would not say it was not outweighed by the public convenience; but there seemed this disadvantage—that whereas hitherto they had been able to keep the revenue from stamps perfectly clear, they would not be able to do so under the altered arrangements. They were now about to confuse the items of revenue without the means of dissecting them. They all knew the revenue of the Post Office came in a very large sum—one gross item—on the one side of the balance sheet, and that the expenditure on the other side went out as an annual charge on the country. It ought not to be forgotten that they were mixing up two branches of the revenue which hitherto had been distinct.

Lord FREDERICK CAVENDISH said, that on careful consideration it had been found the advantage to the public would outweigh the statistical disadvantage. The Inland Revenue and the Post Office were considering the best means of obtaining a satisfactory statistical arrangement.

Mr. LEWIS inquired which portion of the revenue would be credited with the amount derived from stamps? Would the Post Office get one portion, and the Inland Revenue the other, or would the Post Office the whole or the Inland Revenue the whole?

Lord FREDERICK CAVENDISH said, at present they knew the proportion of the two classes of stamps; and it would be perfectly easy hereafter, by Rule of Three, to arrive at a just apportionment of the revenue.

Mr. DODDS said, he had intended to move an Amendment with the object of rendering valid the *boná fide* use of receipt stamps as postage stamps, and *vice versá*, before the passing of this Act. He did not know whether an alteration of that kind could be made; if it could on Report he should be very glad.

Lord FREDERICK CAVENDISH said, it was proposed to have a uniform stamp for both purposes.

Clause *agreed to.*

Clause 50 (Repeal of enactments in Schedule) *agreed to.*

Mr. GLADSTONE moved, in page 9, after Clause 23, to insert the following Clause:—

(Particulars to be stated in collectors' receipts.)

"Where any collector of the duties on inhabited houses and of income tax under Schedules A and B has not, in a demand note delivered previous to payment, distinctly described the property assessed, and specified the amount of the assessment, and the rate at which the duties are charged, the description of the property, the amount of the assessment, and the rate of charge shall be specified in the receipt."

Clause *agreed to,* and *added* to the Bill.

Schedule *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

## LAND LAW (IRELAND) BILL.—[Bill 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [FIRST NIGHT.]

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gladstone.*)

Mr. R. POWER rose to move—

"That it be an Instruction to the Committee to insert such Clauses as may check the evils arising from absenteeism, and to impose upon absentees such conditions and restrictions with respect to their estates as the Committee may direct."

Mr. SPEAKER said, he was bound to inform the hon. Member that the Instruction would not be regular or permissible, because it proposed to authorize the Committee to do that which it already had the power to do.

Mr. R. POWER said, there was no reference to the subject in the Bill.

Mr. SPEAKER said, it was, nevertheless, competent to the Committee to insert Amendments in the sense indicated. The same objection would apply to the proposed Instruction of the hon. and learned Member for Bridport (Mr. Warton) to take the fifth part of the Bill first. The Committee would have such authority; and, therefore, the Instruction could not be put.

Major NOLAN, if not out of Order, proposed to move an Instruction to the Committee to do that which it would certainly not be within the competence of the Committee to do without authority from the House. It was to the following effect:—

"That it be an Instruction to the Committee that they have power to make provision that sums may be advanced to Irish tenants for the purchase of their holdings from such funds as Parliament may direct, and without further restriction as to amount than the Committee may direct; and also that the Committee may direct that money may be advanced to poor law unions, town commissioners, or other public bodies to provide land for labourers to such an amount and with such restrictions as Parliament may direct."

Mr. SPEAKER said, the proposed Instruction was inadmissible on different grounds to those which applied to the Notices of the hon. Members for Waterford and Bridport. It was inadmissible because it involved a charge, and according to the Standing Order such a proposition could only be introduced in Committee of the Whole House, and upon the recommendation of a Minister of the Crown.

Sir WALTER B. BARTTELOT rose to move to leave out all the words after "That," in order to insert the words—

"No Bill can be a satisfactory solution of the question unless it includes provisions enabling the court to hear all claims by landowners for compensation for losses proved to have been sustained under the provisions of the Bill, and, on sufficient proof thereof, to award reasonable compensation."

Mr. T. P. O'CONNOR rose to a point of Order. He submitted that the proposal of the hon. and gallant Gentleman was to impose a charge, and could not, therefore, come from a private Member.

Mr. SPEAKER said, the Resolution was in terms of so general a character that it did not, in his opinion, fall within the Order referred to. He had considered the point carefully, and the Resolution appeared to him to be in such general terms that it was competent to the hon. and gallant Baronet to move it.

Mr. T. P. O'CONNOR asked whether it would be in Order to move an Amendment to the Resolution, provided it was in equally general terms?

Mr. SPEAKER said, it would be impossible for the hon. Gentleman to do that till the House disposed of the Amendment of the hon. and gallant Baronet. Should the House think proper to affirm the Resolution it would then become the Main Question, and the hon. Member would be at liberty to propose an Amendment before it passed.

Sir WALTER B. BARTTELOT said, that he was well aware of the difficulty of his position in making this Motion on the Question that the Speaker leave the Chair. If he believed that remedial measures of this kind, hastily passed, could produce pacification and friendship in Ireland, he would be the last man to say a word about the Bill at this stage. What was the condition of Ireland at this moment? Did the reception of the Bill justify any expectation that it would alter the attitude of the agitators in Ireland? Had agrarian outrages ceased? No. On the contrary, they had rather increased. The state of Ireland, in fact, was such that he thought he was quite justified in interposing at that stage of their proceedings to make a few suggestions which might be the means of helping the Government forward in the course which they wished to follow. He knew it might be said that he was only endeavouring to obstruct the Bill; but he was perfectly ready to take the responsibility, because those who knew him knew perfectly well that he would not get up to obstruct any Bill unless he thought there was some very good reason for making some remarks upon it. He appealed to the Attorney General for Ireland to tell the House whether, in his Parliamentary experience, a measure of such grave importance had ever been treated upon its second reading as this Bill had been. Notwithstanding the very able speeches that had been made, and notably by the hon. and learned Gentleman the Member for Dundalk (Mr. Charles Russell), no one, not even the Prime Minister, and certainly not the noble Marquess the Secretary of State for India, who closed the debate, had stated what the real principles of the Bill were. They did not even now know what the principles of the Bill were, or how much was contained within its four corners. While, at one time, they were told that unlimited free sale was to be given to every present tenant holder of land, they were told, at another time, by occupants of the Treasury Bench, that the principle of free sale was to be regulated and controlled. No one had described what "fair rents" were, or informed the House what was proposed to be taken out of the pockets of the landlords, or how those who had obtained a Parliamentary title under the Act of 1848 were to be dealt with. Then he should like to know what was fixity of tenure, as contained in the Bill. They had to look all over the Bill in order to find what its principles were; and if Clauses 1, 3, 4, 7, and 13, were looked at together, it would be seen that a landlord who should once part with his land in favour of a tenant would practically be debarred by the penalties to which the Bill would subject him from ever regaining possession of his property. The Bill, therefore, provided perpetuity of tenure; and if they found within the four corners of the Bill free sale, fair rent, and fixity of tenure, he had a right to ask the Prime Minister and the Lord Chancellor what was the value of the statements they so solemnly made, and which both Houses so implicitly believed, when the Land Bill of 1870 was under discussion? The First Lord of the Treasury said, at that time, that the Legislature had, no doubt, a perfect right to reduce the landlord to the position of a pensioner or rent-charger, giving him proper pecuniary compensation for his loss; but that it was bound not to do that unless it was shown that the change was for the public good. The right hon. Gentleman continued—

> "Is it for the public good that the landlords of Ireland, in a body, should be reduced by an Act of Parliament to the condition practically of

fundholders, entitled to apply on a certain day, from year to year, for a certain sum of money, but entitled to nothing more? Are you prepared to denude them of their interest in the land; and, what is more, are you prepared to absolve them from their duties with regard to the land? I, for one, confess that I am not; nor is that the sentiment of my Colleagues. We think, on the contrary, that we ought to look forward with hope and expectation to bringing about a state of things in which the landlords of Ireland may assume, or may more generally assume, the position which is happily held, as a class, by landlords in this country—a position marked by residence, by personal familiarity, and by sympathy with the people among whom they live."—[3 *Hansard*, cxcix. 351.]

The Lord Chancellor said that fixity of tenure meant the taking away the property of one man and giving it to another, and declared that when they deprived landlords of their property compensation must be given. The tendency of this measure would be to turn the landlords out of Ireland, which was the last thing that they ought to do; because their great object ought to be to induce the landlords to live in the country, and to work in harmony with their tenants—in such harmony as existed on the estates of the late Lord Bessborough. It could be clearly shown that, in many cases, the landlords would be severely and hardly treated under the provisions of this Bill. He knew there were landlords who acted most harshly and unjustly; but to condemn all on that account was indefensible. Those landlords who had done what they considered to be their duty to their tenants; who had fixed their rents at a moderate sum; who had done half the improvements, and who had reduced rents when the tenants had made efforts to carry out improvements, would be greater sufferers under the Bill than those who had exacted rack rents; because tenants would give a far larger sum in open market for holdings where the rent was low, and the land was held under a fair, just, and good landlord. Then they came to the case of the landlord who did all the improvements. He should like to know by what right in the world, when a man had done all the improvements, and treated the estate fairly and justly, and done everything he could to make his tenants comfortable, free sale was to be given on an estate like that? He might be told that was guarded against under the 8th sub-section of the 7th clause, or under the 7th sub-section of the 1st clause. In his humble opinion it was not. He should therefore like to know what was to be done in a case like that? He believed that properties like that ought to be excluded entirely from the Bill. He believed they should then have a definite notion how men who had done the best they could for their estates were to be dealt with. Turning to the landlord who had purchased up the tenant right, which was a totally different case, he should like to know how that landlord was to be treated? The hon. and gallant Member having read to the House extracts from *The Pall Mall Gazette* tending to show the great hardship that would result to the landlord by this proposal to grant free sale, proceeded to remark that he was glad to see the hon. and learned Member for Dundalk (Mr. Charles Russell) had an Amendment on the Paper in the direction of the landlord going into Court. He (Sir Walter B. Barttelot) would ask what could be more unfair than that, whilst any tenant could any moment drag the landlord into Court, the landlord was to be excluded from going into Court at all? He ventured to think that some definite answer ought to be given to that proposal before going into Committee on the Bill. It had been said that the worst feelings existed between landlords and tenants; but he would venture to say there was lying dormant at the bottom of the mind of the Irish tenant a feeling of respect and regard for the landlord, in many instances, which not even all the tyranny of the Land League, or any other tyranny could break through. In illustration of this the hon. and gallant Member read to the House a Memorial which had been submitted to the owner of a very large estate by his tenants in the year 1879, in which, after acknowledging his past kindness and consideration, they asked for some reduction of rent. The prayer of the Memorialists, it was hardly necessary to add, was granted. He contended that there were in Ireland a large number of landlords who would be pressed to act in a similar manner if the occasion arose. In the present instance, the landlord had made reductions at a time of great depression; but at a time when he believed three parts of Ireland were in a better position to pay their rents than England or Scotland. ["No, no!"] Hon. Members might say "No, no;" but he would ask them to look at the fact that last year 1,800,000 head of cattle of all sorts came from Ireland to England, while not more than 1,200,000 came from all the rest of the world to this country. A great deal of power for good or evil rested in the hands of hon. Members below the Gangway, and he was sorry to say that hitherto they had used it only for evil. He ventured to ask them whether, by a different course of conduct, they might not promote in an important degree the returning prosperity of their country. When it was said that the tenant had done everything to improve the land, he might call attention to a letter from Mr. Kavanagh, who showed that 6,700,000 acres were held by a certain number of owners who had done all the improvements; the number was a little more than 11 per cent. The tenants who had done all the improvements were about 26 per cent, while 63 per cent of landlords and tenants had equally divided the cost of improvements between them, which showed conclusively that in many parts of Ireland a fair—he might even say a large—proportion of the improvements had been made by the landlords. [Mr. Parnell: Over what period?] He did not think the period was stated in the letter. [*A laugh.*] It was all very well for hon. Members to laugh; but they could not say that Mr. Kavanagh was a man who was likely to put forward misleading figures, or against whom, as a landlord, any reasonable complaint could be made. He (Sir Walter B. Barttelot) was not defending all the landlords of Ireland; but what he wanted was a fair, reasonable, and just settlement established between the two classes. He appealed to the hon. Member for Cork, for he had stated it not once, but over and over again, that if they wished to get the estates of the landlords a fair price ought to be paid for them. [Mr. Parnell: Hear, hear!] That was all he (Sir Walter B. Barttelot) was asking for. If the landlords who had done their duty were placed under the statutory conditions of this Bill, they ought, in fairness and justice, if it was wished that they should be relieved from their properties and become mere rent-chargers upon them, be enabled to go into Court and offer their estates at a fair and reasonable price. When he looked at the Bill, and saw the condition of the Notice Paper, he would venture to ask the Attorney General and Solicitor General for Ireland whether, in their experience, a Bill which now was met by 80 pages of Amendments, with the probability of 20 or 30 more being added, could be accepted with confidence, seeing that its provisions were so much misunderstood? What did all those Amendments, many of which came from the Ministerial side of the House, show? It meant that the Bill was one which ought never to have been introduced in its present shape. He was not going to say anything against the draftsman of the Bill. The draftsman might have been blamed from the Front Ministerial Bench; but they knew from whom the draftsman received his instructions. This was a drastic measure which took all one's time to master, and when one thought he had mastered it he found he could not understand it at all. That portion of the Bill which dealt with the condition of the landlord and tenant had received great prominence; but the subject had been so mystified that he defied even the clearest-headed man to know where he stood after reading those provisions. The Notice which he (Sir Walter B. Barttelot) had put upon the Paper showed his bent and inclination. He only asked for definite information. He was quite sure if any of those who sat on the Front Ministerial Bench would clearly state what the Bill really and positively did contain, they would do more towards passing the measure than anything which they had yet heard. He ventured, therefore, to hope he would receive some answers to the questions which he propounded for the consideration of the Government.

The ATTORNEY GENERAL for IRELAND (Mr. Law) could certainly not complain of the tone of the speech of the hon. and gallant Member, whom he acquitted of any desire to obstruct the Bill. The hon. and gallant Member's remarks were perfectly fair from his point of view. He had not, however, been able to gather very clearly from the observations of the hon. and gallant Gentleman on what ground he asked that the Court should be empowered to award compensation to landlords. He (the Attorney General for Ireland) had expected to hear somewhat more of the way in which it was proposed to entitle the landlords, as a class, to require compensation for the rights of which they were said to be deprived. Most of the observations of the hon. and gallant Gentleman were simply repetitions of the arguments which were urged against certain clauses and parts of clauses in the debate on the second reading of the Bill, and which more properly belonged to a discussion in Committee. The principles of the Bill were, he submitted, abundantly clear. The Prime Minister had shown them to be simply fair rents, a a certain amount of fixity of tenure, and free sale, subject to certain qualifications for the protection of the landlords' interests; but from the commencement to the end of his able speech the hon. and gallant Gentleman did not touch on, much less controvert, any one of those principles. The same might, indeed, be said as regarded other speeches which had been made by hon. Gentleman opposite, even including that of his right hon. and learned Friend the Member for the University of Dublin (Mr. Gibson), which was, after all, only an able and acute criticism of some of the details of the Bill. Now, he would like to know upon what ground the landlords claimed to be entitled to compensation. Was it because of the clause in the Bill which was to effect a fair adjustment of rents? Was any Irish landlord prepared to come forward and say that he was aggrieved and injured because he was not allowed to enforce more than a fair rent? In 1870 no claim to compensation was preferred because, for the first time, the tenant was secured a property in his own improvements. No landlord then complained that he was thus deprived of the right to take every building, for example, that had been erected on the land—that he was prevented from any longer appropriating the tenant's improvements without paying for them. Was it, then, because of the qualified fixity of tenure established by the Bill? If a fair rent was rightly left to be fixed by a Court, some degree of fixity of tenure was inevitable; for without this it would be absurd to attempt to fix a fair rent. He must, however, remind the House that the fixity of tenure proposed in the Bill was by no means equivalent to perpetuity of tenure in the sense those words were used by the right hon. Gentleman at the head of the Government in 1870. It was not at all a necessary consequence of the Bill that all the tenants in Ireland would go into Court and, getting their rents fixed, obtain a statutory term of 15 years. If tenants were well treated and paid only reasonable rents they would do wisely to keep out of Court. Thus one very large class of tenants would be excluded. Another class to a large extent excluded would be future tenants. In fact, all that would probably happen would be that a certain number of rack-rented tenants would get their rents reduced and have a limited fixity of tenure. If, after that, the tenant wished to sell, the landlord had the power of pre-emption, and under the 4th clause he had the power of resumption whenever he could show that the benefit of the estate required that he should do so. Therefore, to call this perpetuity of tenure in the sense of practically transfering the fee simple of the land from the landlord to the tenant was a mere abuse of language. It was said, however, that the Bill, at all events, would substantially convert the landlord into a rent-charger, and would therefore tend to drive the landlords out of Ireland. One fact was worth a dozen theories of this kind. In Ulster, where this system existed to the fullest extent—where it had existed for centuries—and especially in those parts of Ulster in which it was unfettered and unrestrained, there were more resident landlords than in any other part of Ireland, and they had just as much notion of quitting Ulster as the hon. and gallant Gentleman had of quitting England. They had better tenants, and they had far happier relations with their tenants, than were found in other parts of Ireland where such a system did not prevail.

Mr. PARNELL: Yet the ejectments in Ulster are more numerous than elsewhere.

The ATTORNEY GENERAL for IRELAND (Mr. Law): If a man in Ulster could not pay his way he disappeared, and instead of an insolvent the landlord obtained a solvent tenant. The tenant simply went out because he could not meet his engagements. That was how the Ulster landlords and tenants managed their affairs. The hon. and gallant Member, in a dim, shadowy way, made a claim for compensation to the landlord on the ground that his rights could or might be in some undefined respects infringed upon, and proposed that the ascertainment of this should be devolved on the Court. But was the Court to determine the question of compensation to be paid out of public money? He should entirely object to the Court having the matter of compensation submitted to it. If landlords as a class, or any class of landlords, claimed to be entitled to compensation, the question must be decided by that House. The Government, however, did not admit that there would be any loss to the landlord except the loss of a power which he ought not to exercise; and he must protest against the idea that landlords, any more than other people, could be regarded as having a vested interest in a right to commit injustice. The cardinal and central principle of the Bill was one which was admitted by statesmen on all sides—that they must have a tribunal to determine what were fair rents as between landlords and their occupying tenants. The farm and all its equipments in England belonged to one man, and therefore he could charge what he liked. The farm with its equipments in Ireland belonged to two men—the landlord and the occupying tenant—and to allow the landlord, under the terror of eviction, to enforce from the occupying tenant as much rent as he could, under such pressure, be induced to promise to pay, was a thing which that House would not sanction, and which every Commission had protested against. In Ireland, part of the farm as it stood belonged to the tenant, and for that part, whatever it was, he could not honestly be charged with rent. [Mr. TOTTENHAM: In Ulster or out of Ulster?] In Ulster or out of Ulster, just the same. No good landlord in Ireland ever dreamt of acting in any other way. Unfortunately, in cases of this kind the class feeling was very strong, and the best landlords, many of whom were in that House, made common cause with the worst because they thought that a common danger threatened their entire order. He knew very well that the hon. Gentleman opposite (Mr. Tottenham) did not act upon the principle of the proverb which he had hastily quoted on a former occasion. He knew very well that the hon. Gentleman was perfectly willing to treat, and did treat, his own tenants fairly; but there was the question of what those might do who should come after him. Hon. Gentle- opposite were doubtless willing to treat their tenants with all possible fairness; but it seemed as if, in their opinion, this must be the outcome of their own free grace, and not be claimable as a right by the tenants, who must be satisfied to get as much as the landlord was pleased to give, trusting simply to his sense of honour. He (the Attorney General for Ireland), however, would remind them that during the debates upon the Agricultural Holdings Act which was passed for England, the true principle was laid down by the late Lord Beaconsfield, who said that the rights of tenants must depend, not on honour, but on justice. Now, apply that principle to the present case. It was clear there must be a tribunal to determine what was a fair and just rent; and there could be no right to compensation for enforcing what was just and fair. Again, he (the Attorney General for Ireland) submitted there could be no right to compensation for enabling the tenant to sell his interest, for they carefully guarded the landlord's right. Allow the tenant to sell what belonged to himself. There was here no transfer of property from one class to the other. The harsh and unjust landlord could not claim compensation because his harshness and injustice would be checked; and as to the other class of landlords referred to—the good landlords, who, it was said, did half the improvements and charged a moderate rent—their case was fully provided for in the Bill. The landlord would be entitled to come to the Court, and in dealing with the purchase money, the value of the improvements made by him and not charged for was to be considered; so that if the landlord, under such circumstances, had made the whole of the improvements, then he would get the value of the whole. As to the arguments which the hon. and gallant Gentleman had founded on the letter of Mr. Kavanagh or on that of the correspondent of *The Pall Mall Gazette*, why, the sale of the tenancies by the tenants in the cases mentioned was no such alarming matter, though the amount might be equal to many years' rent. Had those gentlemen stated what amount of building or other improvements had been done by the tenant? No; all that was omitted, and yet everything depended on it. It was idle to argue from a special case without knowing the facts. Suppose the tenant had added valuable buildings or turned wild mountain into arable land, was he not to get the full value of those improvements because that value amounted to 30 or even 40 times the rent of the land in its improved or natural state? So, also, as to the case in Kerry, where the holding at £35 a-year rent sold for £800, what did they know about the value of the improvements? Every Commission, from the Devon Commission in 1845 down to the Bessborough and the Richmond Commissions in 1881—all stated that as a general rule the buildings, improvements, and equipments of a farm were the work, and therefore the property, of the tenant. These high figures, then, did not necessarily mean extravagant prices. Could the hon. Member explain why all the Ulster Conservative landlords acknowledged that the system did them no harm, but, on the contrary, did them good? They knew that the tenant right, with its element of free sale, meant greater exertion on the part of the tenant, better cultivation, and more and more improvements, and therefore increased security for the rent. If the tenant fell into arrears, the landlord was thus secured against all risk of loss. With regard to the number of Amendments on the Paper, and the allegation that this of itself showed the Bill to be badly drawn, it must be remembered that the Government had to deal with a large and complex question, and had to regulate the rights of landlord and tenant, so that if possible the one should be secured against the encroachment of the other. In conclusion, he must repeat that, for his part, he could see nothing in the Bill that interfered with the just rights of the landlord, though he saw in it a great deal which preserved the just rights of the tenants, by preventing unjust conduct on the part of landlords; but, as he had already said, he submitted that no landlord had a vested interest in injustice, or any title to be compensated for not being allowed to practise it. The Government, therefore, could not accept the Motion which had been proposed by the hon. and gallant Member opposite.

MR. GORST said, that the language of the Bill was extremely obscure. He believed that it was intentionally and purposely obscure. No man knew better than the Attorney General for Ireland that it was not because the draftsman was deficient in skill, nor because he and his Colleagues were incapable of showing the Government how to make the Bill clear, that it was obscure. It was not a Bill, but a treaty. It came before the House in the shape of a Bill; but it was a treaty which satisfied the conflicting views of at least two parties in the Cabinet, and it was difficult to say how many parties out-of-doors. If the language of the Bill was such that it was not easy to be understood outside that House, it was because it had been carefully framed to mean one thing to the right hon. Gentleman the Member for Birmingham and another to the Secretary of State for India—one meaning for the Constitutional Whigs behind the Treasury Bench, and another for the Irish Members—and everybody must have remarked the oscillation in the Attorney General's speech between the Scylla of one and the Charybdis of the other. If the Government would allow him to give them a piece of advice, it would be that before the Speaker left the Chair, and before they began the discussion of the clauses of the Bill, the Government should make up their minds what it was they really meant to enact; for there was an irreconcilable difference of opinion between the noble Lord the Secretary of State for India and the right hon. Gentleman the Member for Birmingham. They should throw one or the other overboard, and go into Committee with the distinct understanding in their own minds what the measure was they intended to try and carry through the House. It did not require much Parliamentary experience or political foresight to predict that if they did go into Committee without making up their minds, they would find themselves unable to carry some particular clauses without creating such a split in their own Party as might possibly prove fatal to them.

MR. RATHBONE said, it seemed to him that Gentlemen opposite would best consult their own interests if they were to put aside all Party feeling and prejudices and lend their practical knowledge to the Committee in the consideration of the clauses of the Bill. The noble Lord who was to have fathered the Resolution adopted to express the deliberate convictions of the Conservative Party on the Irish Land Bill asked a very pertinent question. It was—"What is the difficulty which we have to meet?" He thought he could answer that question; and, further, he thought he could show from facts and experience how that difficulty had arisen. The difficulty which they had to meet, and which must be met before Ireland could become contented and prosperous, a source of strength instead of weakness to the Empire, was that the bulk of the Irish people were not on the side of the law; that they did not regard it as their protector, their friend, and their ally; and they could not so regard it as long as the law did not protect the property of so large a portion of the Irish nation, and left that property to be protected only by custom and good feeling. The great misfortune in the case of Ireland was that the law in the past had been in so many ways unjust, especially in relation to the tenure of land, that the bulk of the people had acquired a conviction, which, unfortunately, was not unnatural, that the law was their enemy, and not their friend and protector. In the matter of land, the injustice of the law had been admitted even by authorities such as the Duke of Richmond, the Duke of Buccleuch, and other persons, whose position and circumstances certainly would not expose them to the suspicion of being affected with Communistic ideas. What did the Duke of Richmond's Report say—

> "Bearing in mind a system by which the improvements and equipments of a farm are very generally the work of the tenant, and the fact that the yearly tenant is at any time liable to have his rent raised, in consequence of the increased value given to his holding by the expenditure of his own labour and capital, the desire for legislative interference to protect him from an arbitrary increase of rent does not seem unnatural, and we are inclined to think that by the majority of landowners legislation to accomplish this end would not be objected to."

He did not know that they could find anywhere more clearly expressed than in this extract the radical injustice of the Land Laws in Ireland, which injustice consisted in not recognizing the property which the tenant had acquired in his holding by furnishing the labour and capital, which had greatly added to the permanent value of the land. One mischievous consequence of this state of things was that it had stimulated the demand for the separation of the two countries, because the Irish contended that if they had made their own laws such an injustice as this could not have remained unremedied. They had, therefore, a deep interest in settling this question, not only in order to cement upon a firm and peaceable basis the union of the two countries, but also because they might depend upon it that in these days, when throughout Europe Communistic ideas were in the air, it was not the interests of holders of any kind of property to allow the law to remain in such a state that large masses of the population were induced to question and cavil at the fundamental basis on which the rights of property rested. The difficulty being probably admitted, could it be removed? They had the actual facts of experience to show that it could. In alluding to these facts, he must correct a statement that was made with respect to the action of the landlord of the Portsmouth estate, and the effect of the custom which was introduced by the late Lord Portsmouth some 60 years ago. They had there exactly the results they wanted to produce by this Land Bill; they wanted to have landlords receiving fair rents punctually from prosperous tenants, and farms which, without cruel evictions, should yet be of a size large enough to maintain a family in prosperity and comfort. At the last annual settlement he had Lord Portsmouth's authority for stating that he had only £500 of arrears out of a rental of £13,000 a-year; so the landlord was satisfied, and he could go to any of the farms on his property and be certain of a cordial welcome, while the fact that the tenants could and did pay the rents after the bad times they had passed through was in itself a proof that they were prosperous and contented. He believed, moreover, it was the one part of Ireland where the visits of the Land League had not been successful. But perhaps the most valuable experience of all which this property furnished was the effect of free sale in doing away with tenancies too small to be profitably worked. The tenants, by the effect of free sale, when they found that they could not properly cultivate farms under 20 acres, sold out before they were ruined, and had taken their capital and their labour elsewhere; and he was assured by Lord Portsmouth that what the hon. Member for Cambridgeshire (Mr. Rodwell) stated the other day —that this was the result of evictions —was a mistake. It was the natural result of free sale in enabling a tenant to realize his capital when he found that it was not advantageously employed in the cultivation of unusually small farms. But the hon. Member for Cambridgeshire and the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) objected that, under such a system, the landlord became a mere rent-charger. Well, of course, it was much better to have wealthy landlords who could, by doing all the improvements to their own property, with justice to the tenant, retain the whole of their property in their own hands. But you could not produce that result by leaving unprotected the property of the tenant or confiscating it; and if you had not landlords in the position to be generous, they should, at least, begin to be just. That was what Lord Portsmouth had been; and as long as the tenant had a property we should, if we protected it, teach the tenant to consider the law as his protector and his friend. Much had been said of the importance of producing peasant proprietors. On that point all were agreed. But he would ask hon. Members to consider whether, if that could not be done to the extent wished, could they not do something very much akin to it, and which would have the same effect, by letting the tenant feel that he had, protected by the law, in his tenant right, a property in the land? The sense of property was so Conservative, that he was satisfied that if, by this Bill, they could accomplish for Ireland what Lord Portsmouth had done for his own property, they would find Ireland to be the most Conservative and easily governed part of the Empire.

MR. LEWIS said, that, as one of those sitting on the Opposition side who voted in favour of the second reading of the Bill, he desired to say a few words in order to put himself right with the public and his constituents. He should support the Motion to go into Committee on the ground that it was absolutely necessary to do something with reference to the relations of landlord and tenant in Ireland. Whatever might be the causes, those relations were simply intolerable; and if he had to speak of the causes he should speak mainly of the part the Government had taken in allowing the present state of things to be brought about. It was useless to go very far back or minutely to investigate the causes; but they must recognize the fact that the Bill would and could fairly be looked at as neither more nor less than the endowment of agitation and outrage. He supported the Bill in the main, because in one of the later portions it afforded the opportunity to landlords to escape from the difficulty of their position—namely, by selling their ownership to occupying tenants. He believed that experience told them that unless they dealt with the question of ownership and the occupation of the land in Ireland in that way, they would be only nibbling with the fringe of the evil. He took a strong view, because they had experience to guide them. No one could doubt, although the experiment had been a small one, that the working of sales to tenants under the Church Act had been satisfactory. It was idle to attempt to fritter away the great results of that experiment. A large number of purchases of Church lands by occupying tenants had been carried out, the advances having been repaid with singular regularity; and when they looked at the amount of the arrears they could not fail to appreciate that the result had not only been advantageous to the tenants, but that the State was not likely to run much risk by the transaction. This system gave the tenant the solid position as owner, and, at the same time, it gave solidity to the State, loyalty to the people, and good order to society. He believed by a due extension of the purchasing portion of the Bill they had one of the best solutions of a grave public difficulty. He thought the State might, with great advantage, advance a larger portion of the purchase money than was now proposed. There had been a good deal of discussion as to the principles of this Bill. What were they? The first was the institution of a Court of Arbitration with reference to rents. Such a Court was necessary and expedient; but they had a right to ask the Government for some distinct statement of their definite views as to this Court. The foundation of the whole matter was the establishment of a satisfactory Court likely to do justice and give satisfaction to both parties that came before it. The County Court Judges had accumulated a vast amount of experience in deciding land cases. The tenant, of his own motion, might pass by the Civil Bill Court. He strongly objected to the power which was given to the Court of naming Assistant Commissioners, about whose qualifications and emoluments nothing was said in the Bill. They were to have plenary powers, but they would exercise them with a rope round their necks, for they were subject to almost instant dismissal. It was of the greatest importance to have further information as to the structure of this Court from the Government. It had been found fault with on both sides. His hon. and gallant Friend (Sir Walter B. Barttelot) had discussed the question of compensation, a claim which was based in justice. This opened up a great practical question. What was likely to be the condition of the Land Court under this Bill for three or four years? It would be congested with business. There must inevitably be a vast amount of delay and arrears. What was likely to be the result? The tenant knew that by taking his landlord into Court to fix a judicial rent, he would be able to delay the enforcement of all arrears of rent till the case was disposed of. That would be a great hardship on the small owners of land in Ireland, of narrow means and solely depending on their rents. He would next deal with the question of compensation, as to which he thought that the landowners could clearly make out a case with the Bill as it now stood. What were the ordinary conditions of ownership of property? There was the right of resuming possession — the right of selecting a tenant. Were not these rights taken away by the Bill? That first right was one of the primary advantages of property in land, and was entirely destroyed by the Bill, if the tenant thought fit to exercise his power of bringing the landlord into Court. Was not that a valuable right? Then the right of entering into, or rather resuming possession, was taken away. He was not speaking of Ulster, for in some respects he thought the Bill would be disadvantageous to the tenant in Ulster. He was speaking of property in the rest of Ireland. What would be the direct and immediate result of the Bill? He thought owners of property would have a right to say, with respect to the application of the compensation for disturbance clause, as the value of the tenant right, that the amount of the judicial rent was being fixed on a new standard, created *ex post facto*, a standard wholly beneficial to the tenant, and necessarily taking away from the owner some of the primary elements of property. Would not the result of the establishment of that system be to limit the number of purchasers from the owners of land in Ireland? In many cases the only persons who would buy would be the tenants. In that way the Bill was reducing the enjoyable and the money value of the property of landowners in Ireland, and formed a just basis for a claim to compensation. The Attorney General for Ireland had said that the landlord who bought the tenant right of a farm and then let it to another tenant would do a foolish thing. [The ATTORNEY GENERAL for IRELAND dissented.] He (Mr. Lewis) was in the hearing of the House, and he believed they would bear him out in saying that the Attorney General for Ireland stated that a landlord who let a farm after he had bought the tenant right would be guilty of a folly, thus showing that injustice might be done under the Bill, in compelling a landlord to farm his own land, or to re-let under the disadvantage of incurring liability to pay the value of tenant right twice over. The landlord could not go to the Land Court unless the tenant brought him; and, as the Prime Minister had said, the landlord could only get into Court by increasing his rent so that the tenant would deem it necessary to drag him there. This was not a mere matter of sentiment, but it would bring about a state of bad feeling between landlord and tenant, and the landlord only in these circumstances could come into Court as an accused person, so to speak. He would next advert to the condition of another class of persons, who had been entirely overlooked. They were persons who had bought under a Parliamentary title—under the Church Act of 1869. He was not referring to the occupiers, who were not the only purchasers from the Church Commissioners. He had received a letter from a gentleman—a stranger to himself—which described the condition of ordinary purchasers. His correspondent stated that about four years ago he had invested all his money, and that brought to him by his wife, £2,400, in land purchased from the Commissioners of Church Temporalities. The rental of the estate had remained unchanged for the last 30 years, but was about 50 per cent above Griffiths' valuation, and the price paid for the land was, therefore, correspondingly high. Now, if the Court to be established by the Bill reduced the rents, as it probably would, it came to this—that the Government, having sold land as worth a certain price, now proposed to reduce its value without giving compensation. That was an exceptionally strong statement of the hardship that would be inflicted by the Bill. If such a thing were done by a private individual, it would be barely possible to describe or denounce it in sufficiently strong language. The case he had mentioned was, no doubt, one of those instances in which small and suffering interests had to content themselves with being overridden for the good of the State; but its injustice was palpable and undeniable. He feared it was only a sample of many others, and that it represented in a minor degree the unfairness with which a landlord would be treated who found himself for the first time under new rules and a new valuation. He, however, did not despair, despite the disadvantageous circumstances of the Bill, as it had been presented to the House, that it might be made a more workable measure. They had been told in that House, and outside it, what might be expected to happen to the Opposition if they attempted to alter the Bill to any extent, and also what might happen to those in "another place" if they interfered with the principle of the Bill. He, however, should hope and believe that it would be so amended before it ultimately left the Legislature that it would be made less liable to objection than it was in its present form. He hoped that the Government would, as regarded upholding the authority of the law, act in the bold and intrepid manner indicated in the Prime Minister's recent speech, and that it would not be followed by weak and vacillating conduct. Whilst he had stated his principal objections to the Bill, he (Mr. Lewis) would not vote for anything that would delay its receiving full consideration, because he believed that by means of substantial alteration it would be possible to remove some of the provisions unfavourable to landlords, and so make it, on the whole, a safe and expedient measure under the difficult circumstances of the position.

MR. A. GREY observed, that he would not follow the example of the two hon. Members who had preceded him by making a second reading speech, nor would he attempt to explain the vote which he had given in favour of the second reading by professing his belief, as the hon. Member opposite had done, that this Bill was an endowment of agitation and outrage. He was anxious—earnestly anxious—that the Bill should reach Committee stage with the least possible delay; and he would only trespass upon the indulgence of the House for a very few moments. The Question before the House was that the Speaker do now leave the Chair, and no Amendment had been moved as yet to prevent this course being taken by the House; for he understood the hon. and gallant Baronet opposite had not moved the Amendment which he had placed upon the Notice Paper, and very glad he was that he had not done so, for, although he agreed with the substance of the hon. and gallant Baronet's Amendment, it would be impossible for him to vote for it, if pressed to a division at the present moment as a vote against the Speaker leaving the Chair would be as hostile to the Bill as a vote against the second reading. At the proper stage, however, when the Bill was in Committee, he hoped to support an Amendment in the direction of the hon. and gallant Baronet's Resolution. He was emboldened to hope, too, that the Prime Minister would give to such an Amendment his very favourable consideration, for what did such an Amendment amount to? It amounted to this—that in those cases where it might be proved to the satisfaction of the Court that injury had been done to any party by the operation of the Bill, that the Courts should have the power of awarding fair, reasonable, and just compensation. He was aware that the Prime Minister was of opinion that no injury would be inflicted on anyone under the provisions of the Bill, and he heartily hoped that that would be the case; but he ventured to submit, that if the right hon. Gentleman was right, there could be no objection to granting to the Court such powers as were proposed to be conferred upon it by the hon. and gallant Baronet's Amendment, inasmuch as those powers would never be called into play. But if, on the other hand, it did happen that in some way, perhaps unforeseen at present, the Bill did inflict injury, then it was unquestionably only fair and right that the Court should have the power of awarding such compensation as might, in its opinion, appear just. The terms of the hon. and gallant Baronet's Amendment were, he thought, capable of improvement. He only contemplated the case of the landowner. But there were other persons besides landowners whose interests might be injuriously affected by the working of this Bill. There was the case of the middle man, who would be required to fulfil the terms of his lease and pay the rent agreed upon to the head landlord, but who might have the rents which he received considerably lessened by the intervention of the Court. This Bill was admittedly a departure from sound principle, brought forward as an exceptional measure in consequence of the exceptional condition of the country; but when a departure from what was recognized to be the principles which should govern general legislation was taken, then it became impossible to foresee all the consequences that might arise. It might very well happen that cases unforeseen and uncontemplated by the Prime Minister might occur in which this Bill would inflict direct injury on certain persons. He, therefore, maintained that he was on very strong ground when he asked that the Court should have the power of awarding compensation in those cases in which, in its opinion, injury had been proved. He hoped the Prime Minister would give the House some assurance that an Amendment such as that proposed by the hon. and gallant Baronet would receive his favourable consideration when in Committee; and he would most respectfully venture to hint to the right hon. Gentleman, if it were not presumption in so young a Member to do so, that if he would give the House such assurance he would conciliate and disarm, both inside and out of the House, what threatened to be a very angry opposition, and he would greatly facilitate the passing of this Bill through the different stages of Committee.

Mr. GRANTHAM said, it was rather anomalous, that the strongest speeches against the Bill had been made by two hon. Members who either voted for the second reading or abstained from voting for it. The great difficulty which he and others had in this matter was in determining whether there would be injury or not, and he hoped that a satisfactory answer would be given to the question. He had heard with pleasure the speech made by the Prime Minister in introducing the Bill, and agreed with nearly all he had said; but when the Bill was brought in they found that it went far beyond what the right hon. Gentleman said or intended. He complained that the Government had given four or five different constructions of the meaning of the clause relating to fixed rents, and the Attorney General for Ireland had delivered two speeches that were altogether inconsistent with one another. On the first occasion he had given his opinion as to the way in which the clause would affect the Ulster tenants. The right hon. and learned Gentleman said—

> "Although I am not going to tell you what it does mean, it at any rate means a *minus* quantity."

He would, however, vote for the Bill if those who were responsible for it would give to the clause the same interpretation which the right hon. and learned Gentleman had given to it to-night. [Mr. Gladstone: Hear, hear!] He was glad to hear the Prime Minister adopt that interpretation. But the Attorney General for Ireland in his first speech asserted that the Ulster Custom was to be treated as a *minus* quantity, and how could they have a *minus* quantity unless it were taken from something? To-night, the Prime Minister had intimated that it was not his intention that anything should be deducted from the rent in consequence of the right of sale. [The Attorney General for Ireland: What do you mean by rent?] He wanted to know what the right hon. and learned Gentleman meant by rent. Judging from what he had said, there was nothing to show that those persons who were in receipt of rents *qua* rents would have justice done to them under this Bill. In reference to sub-section B, his right hon. and learned Friend had said it was clear that something was to be deducted from the rent. He presumed it would be for compensation for disturbance and other rights which were equivalent to the Ulster right. Consequently, if there were to be a *minus* quantity in the one case there must also be a *minus* quantity in the other, and it must be deducted from the property of the landlord. The right hon. and learned Gentleman had informed the House to-night that it was no loss to the landlord to have the power to commit injury taken from him. That he quite admitted. If that power existed now he would not move a hand to enable the landlord to retain it. He quite agreed also that the landlord ought not to be able to get a rent or to increase his rent for any improvement which had been made by the tenant. This was a different thing, however, from deducting from the rent something which the tenant had in the shape of a right to sell. If the tenant was to give more for the right of sale why was it to be deducted from the landlord in the first instance? He understood the right hon. and learned Gentleman to say to-night that if the landlord took to himself the land and bought up the tenant right he would get a higher rent when he let the land again. He presumed the meaning of that to be, that where a tenant had the right of selling his holding it was worth something to him *plus* the rent. He believed the Prime Minister wished to improve the position of the landlord rather than to make it worse. He would like to see the Bill leave Parliament in such a form that while justice was done to the tenant justice would also be done to the landlord, and there would be no need, therefore, for a clause providing for compensation to the landlord. But if the matter were left in the uncertain state in which it now was, he was certain that difficulties were in store, because the clause would be interpreted differently in different parts of the country. It had been assumed that the question of tenant right was one which only affected people in Ireland, and that there was no such thing as tenant right in England. As far as he knew, there was no county in England in which tenant right did not exist. The county of which he had the honour to be one of the Members (Surrey) had as extensive a tenant right as any county in England. In Ireland the foundation of tenant right was exactly the same as in England—that was to say, when a tenant was going out of a farm he would be entitled from the incoming tenant to the value of what he had done in preparing the soil for future crops, and of the crops which were in the ground at the time. He approved of the proposal for fixing a judicial rent; but he thought the landlord should have power to apply to the Court to take some of the onus and responsibility from him in the fixing of rents. He hoped that the Bill would be so shaped that Gentlemen on both sides of the House could vote for it, and he believed that it would then go a great way towards bringing peace and prosperity to Ireland.

MR. MACARTNEY wished to ask the Attorney General for Ireland a question. He understood him to say, in stating what was the position in Ireland with regard to rent, that landlord and tenant had a joint interest in the holding, that each of them had a certain interest, and that in estimating the rent the value of the improvements by the tenant was to be taken from the rent. Now, he wished that the right hon. and learned Gentleman, and, if he could not answer, the Prime Minister or the Solicitor General, might explain what was the real meaning of those words. The other day the right hon. Member for Halifax (Mr. Stansfeld) gave a meaning to the clause that was so satisfactory as to make him (Mr. Macartney) feel quite happy about it. But to-night he felt as much confused as before. If they were to take the meanings given by four or five Gentlemen on the Treasury Benches, and that given by their followers which had not been contradicted, how were they to look at the Bill? He was completely puzzled, and should be glad to receive an explanation.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) explained that what he had said was this — He was drawing a contrast between England and Ireland, and said that in England, where the farm with all its equipments belonged to one man, and he the landlord, he was entitled to the highest rent he could get—in other words, a full competition rent—but that in Ireland, where the farm only belonged to the landlord, whilst all the improvements and equipments belonged to the tenant, it was impossible to allow the landlord to charge that tenant the highest rent that might be obtained from a stranger in the open market, because this would be making the tenant pay for what belonged to himself as well as for what belonged to the landlord.

MR. STAVELEY HILL complained of the want of explanation of the Bill in the speech of the right hon. and learned Gentleman the Attorney General for Ireland, and said, that if this Bill had said exactly what was proposed to be done he should not have ventured to trouble the House either now or on the second reading of the Bill. But the measure was drawn with such a singular facility of difficulty that it was impossible that anyone could let it pass by without inquiry for some answers on one or two points. He did not wish to go further into the subject of the Amendment now before the House than to quote the words of the Prime Minister, who had said—

> "I deny that there is confiscation; but if there is confiscation, then I agree that there should be compensation."

On that it might be sufficient to remark that it might be left to the House after they got through Committee to say whether there was any confiscation in the Bill, and then they should inquire whether there should be compensation. He next called attention to the first five lines in the operative part of the Bill. They began thus—

> "The tenant for the time being of every tenancy to which this Act applies may sell his tenancy."

Now, before they could understand the meaning of that part of the clause they must turn to the Interpretation Clause, and there they would find that the interpretation of the word "tenancy" was "the interest in a holding of a tenant." That reminded him of the definition he once saw in a Cattle Plague Order of the term "private sale" — namely, "everything shall be considered to be a private sale which is not a public sale." The definition in the Bill was very little better than that. It might be meant that every occupier of land might sell any interest which he had in that land; but if that was what they meant, why did they not say so? The 1st clause stated that every tenant for the time being to whom the Act applied might sell his tenancy—

> "Subject to the following regulations, and subject also to the provisions in this Act contained with respect to the sale of a tenancy subject to statutory conditions."

In order to understand what those very obsure words in the first five operative lines of the Bill meant they had to turn to five different parts of the measure. The Prime Minister had stated that he was proud of his draftsman; the right hon. Gentleman had precious little to be proud of, and he (Mr. Staveley Hill) hoped he might have greater cause to be proud of him hereafter. It was a matter of great difficulty for any person to understand the Bill. He would in particular ask the right hon. Gentleman what was the explanation of the 7th clause? The Prime Minister waved his hand as if he would say—"What a very stupid person you are not to understand that." He had listened to every word of the Prime Minister and of the Attorney General for Ireland, and also of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld). But he was sorry to say he had not yet been able to grasp its meaning. Now, he would first controvert the statement which he had heard that evening that there was such a thing as an Ulster Custom in this country. There was no such custom, and every effort was made to prevent such a custom arising. But he would ask, was it meant by the 7th clause that when a man had kept his agreement he should receive something *ultra* what he had bargained for? He agreed to the justice of giving a 15 years' tenancy when a fair rent was fixed. But when they spoke in the clause of a fair rent being what a solvent tenant could pay, did they mean a man who intended to remain solvent? The second question he had to ask was—Did they consider that the total amount of fair rent was to be calculated as the profit arising out of the land? If so, what proportion of that amount as fair rent was to be returned to the landlord, and how much to the tenant in respect of tenant right, and as compensation for his improvements? Outside of Ulster the valuation was to be made on the scale of compensation for disturbance, so that where the rent was £30 per annum the capital sum represented would be, on seven years' purchase, £210, the interest upon which would be about £8 10*s*. Now, what he wanted to know was whether that £8 10*s*. would be deducted from the landlord's rent? Under the 3rd sub-section of the 7th clause—["Order, order!"]

Mr. SPEAKER reminded the hon. and learned Member that he could not criticize the clauses of the Bill at the present stage.

Mr. STAVELEY HILL bowed at once to the ruling of the Chair. As an Englishman, he cared nothing about Ulster tenant right. If they liked to have their custom in Ireland, let them have it. But if the Government proposed to give persons who were carrying out a contract something outside and beyond the contract, they would violate, not only the principles of political economy, but of honesty also. Now, the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) put the case in this way. He spoke of the sales of tenant right taking place on the Duke of Abercorn's estates for land that produced a rent of £1,093 a-year, as realizing when bought in £26,000. Taking these figures, and for the purposes of calculation, the proportionate prices of land in Ireland with 25 years' purchase, did the clause mean that taking the rent at £1,093, and the tenant right at £26,000, if you multiply £1,093 by 25 that brings £27,325, and adding £26,000, was it to be understood that the capital value of that estate must be taken as £53,325? Of this, was a 25th, or 4 per cent, to be taken as the tenant's interest? Alluding to the words used by the First Lord of the Treasury in reference to the murder of the late Emperor of Russia, he said he trusted that nothing was about to be done by the Government which might bring about a state of things akin to the present peasant proprietorship in Russia. ["Question!"] He concluded by assuring hon. Members from Ireland that he had no wish to impede the progress of improvement in their country, and, exhorting them to forget grievances of days gone by, asked what would be thought of the Saxon population in England were they ceaselessly to bemoan the miseries brought upon them by the filthy Norman robbers?

Mr. W. FOWLER hoped the House would go into Committee. He should have liked to make some observations on the question, but he did not think that was the right time to do so; and he thought the evening would have been spent far more usefully if the House had been in Committee, because all the speeches had been on details which arose out of the clauses of the Bill. He would only refer to two points in connection with the speech of the Prime Minister in introducing the Bill, which had disappointed him. The right hon. Gentleman had said that English managed estates could be taken out of the Bill; but it appeared from the Bill itself that the Court had power to take such estates out of the operation of the Bill as to one clause only. The representation made by the Prime Minister was thus not borne out by the Bill. Then there was a point respecting tenants' improvements which he thought required great consideration. A great deal had been heard about the improvements in Ireland made by tenants; but sufficient had not been heard as to how far those improvements were due to the land being under-let, and, therefore, were practically made out of the property of the landlord—out of the rent which would have been the landlord's if he had chosen to take it. That had been spoken of as a matter of great importance, and he thought more ought to have been made out of it. Then, he failed to understand how injustice to the landlords would be prevented when free sale was established where the land was notoriously under-rented and where the landlord had made the improvements for many years. He had listened with the utmost attention to all that had been said, and the only answer he had heard had been that the landlord might raise the rent, and thereby protect himself from the effect of the Bill. That was to say, on all those estates which were now decidedly under-rented, and where there existed most contentment, the rents were suddenly to be raised in order to protect the landlords. If that were done, the Bill would prove a great disappointment to its authors, and he earnestly hoped that would not be the result. Those hon. Members who were in the House in 1870 could not forget that the Act of 1870 was described as an Act which would bring about a great and happy settlement of the Land Question. He hoped they might so consider this Bill in Committee that their prophecies might not again be unfulfilled. He had voted for the second reading because he strongly felt that a measure with regard to the Land Question in Ireland was required; but he also felt that in passing such a measure they must have regard to justice to all classes.

They must do justice to the tenants, and they must do justice to the landlords; and if they lost sight of either class they would find it out hereafter. If there were injustice under the Bill, that injustice ought to be compensated; but he was not prepared to say that there would be injustice. He hoped the Bill would be so framed that there would be no injustice, and if there were none, they would not need to talk about compensation. The House ought, however, to go into Committee at once, and not waste more time in discussing details of the Bill when they were not in Committee.

Mr. GLADSTONE: I rise for the purpose of seconding the appeal with which my hon. Friend commenced his speech, and I think I could have done so with greater effect but for the latter portion of the speech, which practically amounted to a contradiction of the recommendation with which it began. There is, however, only one point to which I need refer. It was with great regret that I heard his reference to the Act of 1870. He thinks that was a bad measure, and his remarks were cheered; but sentiments of a peculiar order and penitential expressions by those who voted for the Act of 1870 will draw plenty of cheers from that quarter of the House. I am sorry he thought it necessary to go that far, and I am not at all disposed to accompany him in that operation—I hope we shall go into Committee now—because that might involve us in controversy. I rose to second his appeal, and at the same time to say that I had listened not without satisfaction to the discussion which has taken place this evening. The hon. and learned Member for Staffordshire (Mr. Staveley Hill) was so good humoured and kindly in the most energetic part of his speech, that I was quite sorry when the Rules of Order made you, Sir, find it necessary to check him. The hon. and learned Member, passing from clause to clause, appeared to me like a bee flitting from flower to flower, gathering from each a fresh load of honey. That is a most pleasant process; but, at the same time, we cannot make practical progress at this stage by a discussion of this kind. The hon. and learned Member calls energetically for an explanation and definition of the 7th clause. In speaking on the second reading, I endeavoured to give as good and full an explanation and definition as I could; but if that was not sufficiently full and explicit, the best way to get a more full and explicit definition is to go into Committee. Then we can get to the point of the definition of a fair rent, so that every man may be held to it; but when we pass from point to point of the Bill, as must necessarily be the case, all these discussions become indeterminate, and although they may be useful, yet there is a point beyond which they cease to be useful. I think, after the long discussion we have had on the second reading, I may fairly urge that that point has been reached, and if we are in earnest, as the majority of the House are, it is well that we should go into the details of the Bill. For instance, a good deal has been said to-night on the subject of the arrangement by which the landlord and the tenant are placed on a different footing as to the power of going into Court; but the House will recollect that we have never stated that as one of the essential conditions of the Bill. We have referred to it as a matter fairly open to discussion. That arrangement was misunderstood; but we have left it open for discussion in Committee, when we could hold ourselves bound to come to a particular conclusion. But it is plain that we cannot make further progress until we get into Committee. There is, however, one subject on which I wish to give an assurance. With regard to the question of fair rent, although the deduction has been an idea, as we think, forced upon us by the interpretation placed on the clause by hon. Gentlemen, we have never once, on any occasion, propounded that method of proceeding as the mode in which we thought fair rent should be arrived at. I disclaim that altogether, and when we get into Committee we shall be prepared to deal with the clause in that spirit. Again, it is asked what a tenant has to sell? Well, Sir, that we should consider when, in the 1st clause, we come to deal with tenant right. But I would ask the hon. and learned Member what it is that traders in England have to sell, and how it is that a tradesman when he wishes to sell, finds his successor quite prepared to give him something not only equal to the value of his premises and his stock, but something considerably beyond?

That shows that there may be something beyond the limits of the contract under which the tradesman holds, that he may have to sell and for which another person is willing to give him money, and for which it is right and legitimate that he should receive money, and in receiving money for which he does not interfere in the slightest degree with any just right. The hon. and learned Member also asked whether it is not a monstrous thing that where there are two parties to a contract one is to receive something for the mere performance of his contract—something not included in the contract? That was put as a crucial test, the answer to which, if we meant to do that, would be absolutely fatal. But what was my surprise when, after he had declared that where there are two parties to a contract, neither of them is to receive anything except what was in the contract, he said he found that when a judicial rent was fixed the tenant might enjoy it for 15 years without any removal or change, except for his own misconduct, and he thought that was perfectly just and right. Then he is prepared to give to the tenant for keeping his contract something that is not in the contract? The remarks I am now offering are, I admit, open to the criticism I have mentioned; but it is only in Committee that we can make further progress. I have noticed the spirit of most of the speeches with great satisfaction, and the hon. and learned Member for East Surrey (Mr. Grantham), who said he had not been able to vote for the second reading, delivered a speech the spirit of which was eminently calculated to encourage rational and, at the same time, sanguine hopes that we may find some solution of the problem. I would also offer my congratulations to the hon. and gallant Baronet opposite (Sir Walter B. Barttelot) in respect, not of the Motion he has made, but of the Motion he has not made. When I saw that Notice, and that it was to be persevered with, I regretted it. It appears to me that if he had made that Motion in the present state of Business, it would have been an error from his point of view, and would have interposed obstacles to the legitimate discussion and progress of this Bill. Clearly, I think that, according to the ordinary and reasonable mode of proceeding, we could now set about dealing with the actual provisions of the Bill which will determine the relations between landlord and tenant under the new law; and when you have fixed those relations, then will be the time to consider whether there is injury of a nature requiring compensation on the one side or the other. The hon. and gallant Member has allowed us—and I thank him for it—to approach the consideration of these practical questions, and according to the decisions on these practical questions, and according to the light that may be thrown upon them, he will have the means of judging at the proper time whether he has occasion to raise them or not. If I do not in detail refer to some of the remarks upon other passages of the Bill, I hope it will be understood that is from no want of respect for the hon. Members who have made them, but is simply because we have reached a point when we cannot make proper progress except in Committee. The preliminary obstacle has been removed, for it appears that those hon. Gentlemen who proposed to give Instructions to the Committee were not in a position to give those Instructions. That being so, I hope that, the evening being now spent, we may be permitted to take the preliminary and first essential step of dealing with the Motion that you shall leave the Chair, and then we can proceed with the provisions of the Bill one by one to-morrow.

Sir STAFFORD NORTHCOTE: I am not at all disposed to deny that the time has come when it would be convenient to take the step which has been suggested. At the same time, I do not think there is any blame to be thrown on the House for the manner and the fulness of the discussion that has taken place upon this Bill; and even if there had been a disposition to carry on the discussion at the present moment for a longer time, I think there would have been much to be said in view of the very large number of Amendments which have been placed on the Paper, with regard to which it is not inconvenient that there should be some discussion indicating which of those were the Amendments upon which the greatest stress would be laid, for the matter now seems to have resolved itself into this—that we may do well to enter into a discussion of the clauses as they stand, bearing in mind that when we are in Committee we shall be met with another difficulty in discussing the principle of these clauses—that the whole scheme hangs a great deal together; but when we are discussing one clause we shall not be allowed to refer to another when the two are connected. The right hon. Gentleman (Mr. Gladstone) expressed surprise and regret at the hon. Member for Cambridge (Mr. W. Fowler) having made some observations with regard to the Land Act of 1870. Well, but we certainly cannot help from time to time recalling the memory of that Act. There were many things in connection with that Act; and when the Prime Minister told us that, in reference to a particular question, neither he nor any of his Colleagues had propounded a particular mode, or a particular interpretation of a clause, we could not be satisfied with what he and his Colleagues propounded. We must look into the Bill itself, for there were a great many things that were propounded which, after all, we find are now thrown aside. We are referred, in regard to certain matters, not to the interpretation put on the clause, but to the Bill itself; and therefore I was not surprised to hear the hon. Member for Cambridge, who took an active part in the proceedings on your Bill, express some astonishment at the change which seems to have come over the feelings of the friends of the Act of 1870 in respect to every important question such as those we are discussing. With regard to the question that has been raised by my hon. and gallant Friend behind me (Sir Walter B. Barttelot), it is really one of the very highest importance. It is one, I readily grant, that we could not bring to the vote at the present moment with full advantage, because it is difficult to show what is the precise amount of damage and confiscation this Bill will cause until we have made some progress with it. But my hon. and gallant Friend, having called attention to the subject as one of the prominent matters for consideration, it will be understood before we discuss the Bill that we have the question at all events in our minds. I think I may gather from what has been said by other Gentlemen that that feeling is not confined to Members who sit on this side; but I think that there will be a mutual disposition to do justice to those who may suffer in consequence of any steps which may be taken. I understand that we are now asked simply to move the Speaker out of the Chair, and that we shall proceed to discuss the clauses of the Bill to-morrow morning at the Morning Sitting. We shall be quite prepared to do all we can to give proper facilities for the discussion of the Bill with no desire whatever to obstruct it. At the same time, I hope that we may not be called to task if we discuss very fully and carefully the important questions which will be raised, and that we shall not be taken too strictly to account for considering the bearing of particular provisions upon the other parts of the Bill.

Mr. R. N. FOWLER must apologize to the House for rising at that moment, after the two speeches they had just listened to from the Leaders of the House. His apology, however, must be this—that in the course of the long debates which must ensue in Committee, he did not intend to trespass upon the attention of the House. He was only anxious now to state the objections which he entertained to the Bill. His views were in accordance with those which had been expressed by the noble Lord the Member for the county of Haddingtonshire (Lord Elcho). He objected to the Bill on two grounds. In the first place, it was a Bill which violated the great principle of freedom of contract; and in the next place, he regarded the measure as a concession to sedition. In regard to the first objection, he knew that right hon. and hon. Gentleman opposite were staunch maintainers of the principle of freedom of contract, and for the life of him he could not understand why the right hon. Gentleman the Chancellor of the Duchy of Lancaster was to have the privilege of buying his goods in the cheapest market and selling them in the dearest, while his Colleague the Lord Chamberlain was to be refused the privilege of letting his farms to the highest bidder. In the next place, he could not but feel that the Bill was a concession to the sedition which had prevailed for some time in Ireland. He had referred to the noble Lord the Lord Chamberlain. He recollected the present Lord Chamberlain, when Lord Castlerosse, sitting on the Benches opposite; and the Members of Her Majesty's Covernment would agree with him, although he was afraid they would concur with him in nothing else, that a more high-minded and courteous Gentleman never occupied a seat on the Treasury Bench. But what did they find in regard to the Earl of Kenmare? This high-minded Nobleman, who had done so much to improve his estates in Ireland, and who was not an object of any religious difficulty, because, as was well known, his religious views coincided with those of the great majority of the Irish people—this excellent and distinguished Nobleman had been driven out of Ireland by the conduct of his neighbours and tenants. It seemed to him (Mr. Fowler) that, under these circumstances, they ought to hesitate before they assented to a Bill which was a concession to the sedition of the Irish people. He had the honour of a seat in that House when the right hon. Gentleman the present Prime Minister came down and proposed to cut down the Upas tree of Protestant ascendancy, in order to send a message of peace to Ireland. At that time the right hon. Gentleman was at the head of as powerful a majority as he possessed at this moment. It might not be numerically as large, but it was practically as powerful. The right hon. Gentleman cut down the Upas tree of Protestant ascendancy; he abolished the Irish Church; and when he (Mr. Fowler) recollected the debates which took place on the Irish Church, he might say that there was no portion of his life upon which he looked back with more unmingled thankfulness and satisfaction from the knowledge he had that in every division he had voted against the right hon. Gentleman. The Upas tree of Protestant ascendancy had now been cut down; and he should like to know how many hon. Members on the other side of the House would get up and tell him that Ireland was as peaceful, at this moment, as it was when the right hon. Gentleman acceded to power in 1868? He should like to know if any hon. Member would say that Ireland, at the present moment, was in as peaceful a condition as when the Duke of Abercorn left it in that year? The result of the legislation of the right hon. Gentleman in his previous Government was depicted in a few burning words uttered by that illustrious man whose recent loss they, on that side of the House, so deeply deplored. Mr. Disraeli, when sitting on the Bench below him, said—

> "Under the guidance of the right hon. Gentleman we have legalized confiscation; we have consecrated sacrilege, and we have condoned high treason."

He (Mr. Fowler) believed there was no more sacrilege to consecrate; but with regard to legalizing confiscation and condoning high treason, although he hoped never again in the course of these debates to trouble either the Committee or the House, he wished emphatically to say that on every occasion he hoped to give his vote against this Bill.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

## PART I.

### ORDINARY CONDITIONS OF TENANCIES.

Clause 1 (Sale of tenancies).

MR. GLADSTONE: I beg to move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." —(*Mr. Gladstone.*)

SIR R. ASSHETON CROSS said, there was one question he would like to ask the Prime Minister. In the course of the debate on the second reading he understood that the wording of the Bill in the second part, which related to the intervention of the Court, and especially of the 7th clause, was not happy, and that it was desirable to amend it. He wished to know from the Prime Minister whether any Government Amendments were likely to be put down? If the right hon. Gentleman would indicate at an early period how the language of the 7th clause might be amended, it would probably greatly facilitate the discussion of the clause in Committee.

MR. CHAPLIN thought it would be a great convenience to the House if the right hon. Gentleman would explain the course he proposed to adopt in regard to the further progress of the Bill, and whether he intended to take Morning Sittings or not. It would be convenient for private Members to know whether Morning Sittings would now be continuous; because, if they were, private Members would be deprived of the only days now open to them.

MR. GLADSTONE: I thought it was understood that the Government intended to proceed with the Bill at Morning Sittings on Tuesdays and Fridays. With regard to the question put by the right hon. Gentleman, we have considered the matter to which he refers, and our proposal is to deal with Clause 1 in the first instance. By taking that course we believe that we shall raise the several points in the most convenient form. After we have dealt with Clause 1, we shall have something to guide us in framing the proper phraseology of the rest of the Bill.

Lord RANDOLPH CHURCHILL said, this was a convenient opportunity for asking the Government if it was intended to take perpetual Morning Sittings for the rest of the Session, to give to private Members some opportunity for bringing on the questions they desired to submit, by making a House and keeping it in the evening? He alluded more especially to Tuesday evenings. The Government were already under an absolute obligation to make a House so far as Friday evening was concerned; but the duty of keeping it devolved upon independent Members themselves. He took it that the duty of making a House was, by the Rules of the House which related to Sittings on Friday, a positive engagement on the part of the Government. But then came the Tuesday Sittings. He thought that the House had some claim upon the Government to assist hon. Members in making and keeping a House on Tuesdays, at all events, during the remainder of the present Session. The same claim might not apply to an ordinary Session; but, as the House was aware, all the private Members' nights before Easter were taken by the Government, and independent Members were obliged to give up a large number of Motions they were anxious to bring forward. He therefore hoped the right hon. Gentleman would give some kind of assurance that the Government might be able to find it in their power to make some *bonâ fide* effort to make a House both upon Tuesday and upon Friday, in the event of private Members not objecting to Morning Sittings on those days.

Mr. HEALY hoped that the Chairman would be able to give some contradiction to a rumour to the effect that when the consideration of the 2,000 Amendments of which Notice had been given came on, it was his intention to allow the first Amendment to be disposed of, and then to follow the course adopted in the debates on the Coercion Bill, and rule all other Amendments relating to the same matter to be out of Order. He knew what newspaper gossip was, and did not himself give much credence to the rumour. It would be most unfair, in the event of an hon. Member obtaining precedence for a bad Amendment, to rule that any other Amendment, although there might be several good ones on the same point, were to be shut out. He would, therefore, put the Question direct to the Chairman, whether there was any foundation for the rumour, and whether such an intention really existed, so that hon. Members in that and other parts of the House who proposed to move Amendments might have timely Notice? He certainly thought that a clear and distinct intimation ought to be given by the Chair.

Mr. GLADSTONE: It is not for me to interpose between the Chairman and the hon. Member for Wexford (Mr. Healy), or to make any answer to his appeal; but I must say that I heard the assertion with surprise that the Rules upon which the procedure was conducted in Committee upon the Protection of Person and Property Bill for Ireland involved anything new. The proceedings in regard to that Bill were conducted upon the fixed and established and usual Rules of the House, and which are, in fact, justified by the necessity of making progress. No doubt, the hon. Member is justified in saying that there is a great deal that is arbitrary in the precedence given to one Member over another; and it may often, unfortunately, happen that an insignificant Amendment obtains precedence, while an important and significant Amendment is excluded. But that is an evil under which we continually suffer. For instance, Motions are put down for a private Members' evening. It so happens that the first two or three of them are Motions in which no one feels the slightest interest, except the Members who bring them forward, whereas there may be Motions in the rear of them of very great interest and importance, which are shut out by those which have been more favoured by fortune. I do not know whether our Rules in this respect can be improved; but it is quite clear that they cannot be arbitrarily changed, and we must proceed upon them until we are able to substitute better. In regard to the observations of the noble Lord the Member for Woodstock (Lord Randolph Churchill), while it is perfectly true that independent Members suffered heavily during the first three months of this year, I am sure the candour with which the noble Lord has spoken will prevent him from saying that there was any gain to the Government. The Government were themselves as completely shut out from prosecuting Public Business as private Members were shut out from prosecuting the Motions they wished to bring forward. It was a common loss. With regard to Morning Sittings, my understanding is this—So far as Tuesdays are concerned, the making and keeping of a House is an affair for private Members themselves; and the House must take its chance, depending entirely on the interest taken in the Motions about to be submitted. But with regard to Fridays, the case is different, because while the Government are called upon to use their best endeavours to make a House—and, I believe, their engagement does not go further—it is their duty, I think, as far as they can, to make every reasonable endeavour to keep a House.

MR. E. STANHOPE remarked, that, so far as he understood, the Morning Sitting on Friday had been obtained by appointing a Bill of comparatively no importance—the Land Tax Commissioners' Names Bill—for 2 o'clock on that day. By that means the arrangement was made without the knowledge of many hon. Members. So far as he was concerned, he should certainly not offer any opposition to the appointment of a Morning Sitting for to-morrow; but he thought the matter ought not to have been settled at the backs of hon. Members. It was most desirable that, when it was intended to take Morning Sittings, hon. Members having Notices on the Paper should be aware of it, so that they might have an opportunity of challenging the proposal if they thought fit to do so.

MR. GLADSTONE said, he was not in the House when the arrangement was made; but he understood that the announcement would be that the Government would ask for Morning Sittings for the purpose of prosecuting this Bill. The arrangement, he believed, was made with the concurrence of all persons concerned in it. In order that there might be no misunderstanding, he should ask, when the Chairman left the Chair, that the Bill be fixed for a Morning Sitting to-morrow.

SIR STAFFORD NORTHCOTE wished to note that there was a distinct step backwards, so to speak, in what the Government now said. With regard to the Sittings on Tuesdays, of course no one understood that the Government were under any special obligation to make or keep a House; but, up to the present time, it had been the rule—at all events, the late Government acknowledged and continually acted upon it—to come down and make a House at 9 o'clock, leaving the House to continue or not according to the view which might be taken by hon. Members. It appeared that the present Government acted on the principle of reversing this policy.

SIR WILLIAM HARCOURT said, that his recollection did not confirm the statement of the right hon. Gentleman opposite. The imperative duty, which the right hon. Gentleman stated to belong to the late Government, of making a House on Tuesday evenings must have been very imperfectly performed, because he was quite sure that on many occasions those unfortunate "counts-out" actually occurred, in spite of what, he had no doubt, was the sincere desire of the late Government to prevent them.

MR. W. H. SMITH observed, that he had a distinct recollection that during the tenure of Office by the late Government, the right hon. and learned Gentleman opposite was very rarely in his place at 9 o'clock on Tuesdays and Fridays when there had been Morning Sittings. From his own knowledge, having been present in the House throughout the greater part of the last Parliament, he could say that when it was the duty of the late Government to ask the House to sit on Tuesdays, they made it the rule to be in their places at 9 o'clock in the evening. It was true that the House had been frequently counted out; but on those occasions there were some 18 or 20 Members of the Government present. The late Government regarded it as their duty to make a House; but, having done so, they were not responsible for what afterwards occurred.

Lord RANDOLPH CHURCHILL said, that, whatever had been the rule of the Government, they were certainly unfortunate in their endeavours to carry it out. He remembered that when the Motion on the Endowed Schools of Ireland was appointed for discussion at an Evening Sitting after a Morning Sitting, the House was obviously and notoriously counted out through the influence of the late Government.

Mr. NEWDEGATE expressed a hope that the sudden announcement of Morning Sittings for 12 or 2 o'clock the following day would not be made after 12 o'clock at night. It was totally impossible that hon. Members could conduct their correspondence and their ordinary business if they were not informed by that time at what hour the House would meet next day. He remembered this had been the practice during a former Administration of the present Prime Minister; and he trusted the House would insist that at an early hour of the Sitting on the day previous they should be informed at what hour they were to meet again. Unless this was done it was impossible for private Members, or for any Member of the House, to conduct the necessary communications with their constituents, or to prepare themselves for debate. The result of violating this understanding was the perpetual moving of adjournments. Again, when the Rules of Urgency were adopted by the House, it was provided that adequate Notice of bringing those Rules into force should be given. That was the last precedent set up by the House bearing upon the subject; and he trusted that the House, out of self-respect, would insist upon its observance, and that it would never submit to Morning Sittings unless Notice was given before post time on the preceding day.

The CHAIRMAN said, before the Question was put he should be glad to relieve the mind of the hon. Member for Wexford (Mr. Healy) by stating that after a hard day's work he had only succeeded in getting through the Amendments on Clause 1. He had been working with the object of preventing one Amendment killing another.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

Mr. GLADSTONE said, the Government proposed to take the Bill tomorrow, immediately after the Report of the Customs and Inland Revenue Bill.

## ALKALI, &c. WORKS REGULATION BILL—[*Lords.*]—[Bill 119.]

(*Mr. Dodson.*)

COMMITTEE. [*Progress 2nd May.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 3 to 8, inclusive, *agreed to.*

Clause 9 (Provisional Order to prevent discharge of certain gases in salt works).

Mr. WILBRAHAM EGERTON said, there was an Amendment down in the name of his noble Friend (Earl Percy), which, in his absence, he would move.

Amendment proposed,

In page 4, line 8, after "carried on," insert "or in any galvanizing or tin-plate works in which iron is treated with acid previous to receiving a coating of tin or other metal."—(*Mr. Wilbraham Egerton.*)

Question proposed, "That those words be there inserted."

Mr. DODSON was sorry to say he could not accept the Amendment. He would not detain the Committee by discussing its merits; but would merely point out that if it were accepted it would be extremely unfair to a great many works in the country which had been given to understand that they would not be affected by the measure. There were a considerable number of these works scattered over a wide part of the country which would come under inspection if this proposal were adopted, and a large additional staff of Inspectors would have to be appointed. Under the circumstances, although the recommendation of the Royal Commissioners had not been followed, he hoped the hon. Member would not press the Amendment.

Mr. ARTHUR O'CONNOR said, that at this hour—1 o'clock in the morning—and as they had a Morning Sitting before them, he thought it only reasonable that they should now allow the Chairman to report Progress. The President of the Local Government Board appeared to be so exhausted that he could not speak loud enough for any hon. Members to hear him. ["Oh, oh!"] Well, he (Mr. Arthur O'Connor) had been unable to catch one single word the right hon. Gentleman had said, and it must be confessed that the Members of the Government were not the only persons in the House who were exhausted. He would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur O'Connor.*)

MR. DODSON hoped the hon. Member could hear him now, and was sorry that the words he had uttered had failed to reach everyone in the House. As far as he and his Friends were concerned—and he thought that, on this matter, he could speak for the majority of hon. Members opposite—they were anxious to see this matter settled. The clauses he was asking the Committee to go through were, substantially, agreed to. He might say that with the exception of that now under discussion there was not an Amendment to the clause he wished the Committee to take which was opposed by any hon. Member interested in the measure on either side of the House. He might say that all he proposed to do to-night was to go through the Bill as far as the 25th clause, which was a contested provision. Under the circumstances, he trusted hon. Members opposite would allow the measure to go forward. It was not in any sense a Party measure. It was a Bill in which manufacturers and residents in the neighbourhood of manufactories were alike interested, both being anxious that it should become law as soon as possible.

MR. A. M. SULLIVAN pointed out to the hon. Member for Queen's County (Mr. Arthur O'Connor) that he had had sufficient proof that he had been labouring under a misconception as to the physical powers of the Member of the Government in charge of the Bill, and appealed to him to withdraw his Motion. It had been clearly demonstrated that not only was the right hon. Gentleman (Mr. Dodson) physically, but mentally, and in the best possible temper, prepared to go on with the Bill. There was another reason he would venture to suggest to the hon. Member why he should not press on his Motion, and it was this—that in the future an Irish Bill would have to make large demands on the time of the House; and for that reason he (Mr. A. M. Sullivan), for one, as an Irish Member, was prepared to remain in the House an hour or two longer in order to help through an English Bill which was desired by the English people. He was sure he was not appealing in vain to his hon. Friend.

MR. WILBRAHAM EGERTON said, that after the appeal from the Government he would withdraw his Amendment. It was the opinion of the Commissioners—or so his noble Friend (Earl Percy) had thought—that such a clause as this should be inserted in any measure introduced on this subject. So far as the Bill dealt with a certain class of works, however, it had his (Mr. Wilbraham Egerton's) support, and he would not delay its progress by pressing his Amendment.

MR. HEALY said, the hon. and learned Member for Meath (Mr. A. M. Sullivan) must have a very short memory if he thought the Irish Members were anxious to pass the Government Land Bill, which they looked upon as a most absurd measure. He would not ask his hon. Friend (Mr. Arthur O'Connor) to withdraw his Motion. What they had to consider was, were they going to consent to stay in the House until 2, 3, and 4 o'clock every morning? For his own part, whenever a Motion to report Progress was made after 1 o'clock in the morning he should support it.

MR. CALLAN said, that before the Committee went to a division he wished to say that, for an opposite reason to that given by the hon. Member who had just sat down, he intended to vote with the Government. In his opinion, the Land Law (Ireland) Bill was not an "absurd" measure, and he would appeal to the hon. Member for Queen's County not to offer any obstruction to any Government measure which could in any form or way delay the progress of that Bill. It must not be supposed that many of the Irish Members—he amongst the number—abstained from voting on the second reading because they considered the measure absurd; and he wished to enter a most decided protest against any such language being used in regard to the Land Bill.

MR. ARTHUR O'CONNOR said, that after the very satisfactory, though unusual exhibition they had had of sympathy and agreement between the hon. Members for Meath and Louth (Mr. A. M. Sullivan and Mr. Callan), he was not disposed to interfere with the continuance of those feelings. Unquestionably, there was a disadvantage in proceeding with measures at this hour of the morning, when their Business was conducted in whispers. Yesterday an hon. Member sitting on the Treasury Bench, distinctly and intentionally placing his hand before his mouth, had conducted a portion of the Business in a low whisper, in order that the course he desired the House to take should meet with no opposition. In the lowest tone that he could contrive, he had proposed that the House should sit at 2 o'clock to-morrow; and it was not until the Speaker had refused to recognize such an unusual proceeding, and had called upon the hon. Member to state his proposal clearly, that the proposal was made known to the House. That was one example of the dangers they would have to face if they allowed the Business to be conducted in whispers; and it had taught him that it was always desirable, when they could not hear what was going on, to propose an adjournment of the discussion. The first short speech of the right hon Gentleman (Mr. Dodson) he had been unable to hear, and he had said so to the Committee; but after the manifestation the right hon. Member had since given of the excellence of his physical powers—which he hoped he might long continue to enjoy—he (Mr. O'Connor) was ready to admit that the President of the Local Government Board was in a position to conduct the Business of the Committee. As it was the feeling of the Committee that they should go on with the Bill he would withdraw the Motion.

Motion, by leave, *withdrawn.*

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 4, line 13, after "discharged," to insert "Also whether in any works in which aluminous deposits are treated for the purpose of making cement, hereinafter called 'cement works,' such means as aforesaid can be adopted with respect to the noxious or offensive gases evolved from such works."—(*Sir Sydney Waterlow.*)

Question proposed, "That those words be there inserted."

*Mr. Arthur O' Connor*

MR. DODSON said, the hon. Member's Amendment was to insert cement works in Clause 9. That had been substantially agreed to in an Amendment already adopted, and the present proposal was only a formal one to make the words of the clause agree with the intention of the Committee.

MR. SCLATER-BOOTH failed to see how that was so.

MR. DODSON said, the hon. Member evidently had a wrong copy of the Amendment.

Amendment *agreed to.*

Amendment proposed,

In page 4, line 19, after "gas," insert "and in the case of cement works of any noxious or offensive gas."—(*Sir Sidney Waterlow.*)

Amendment *agreed to.*

Amendment proposed,

In page 4, line 28, at end, add, "The Board shall take such steps as they may think fit for giving notice to persons interested of the provisions of any order made by them under this section before any Bill for confirming the same is introduced into Parliament."—(*Mr. Dodson.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

## PART III.

### (*i.*) *Registration of Works.*

Clause 10 (Registration of works, and stamp duty).

MR. DODSON said, he now rose to move an Amendment which had been put down by the hon. Member behind him (Sir Sydney Waterlow).

MR. ARTHUR O'CONNOR rose to Order. He wished to ask the Chairman whether it was competent for the right hon. Gentleman to move the Amendment of another Member without giving Notice? The Speaker had ruled that it could not be done.

SIR SYDNEY WATERLOW said, the Amendments were put down very late last night, and they appeared in his name by a mistake.

THE CHAIRMAN: The hon. Member (Mr. Arthur O'Connor) refers to a Rule of the House which is not a Rule of the Committee. There is no previous Notice necessary.

Amendment proposed, in page 4, line 34, leave out "scheduled." — (*Mr. Dodson.*)

Amendment *agreed to.*

Amendment proposed, in page 4, line 34, after "work," insert "to which Part II. of this Act applies."—(*Mr. Dodson.*)

Amendment *agreed to.*

Amendments proposed,

In page 5, line 1, leave out "scheduled," and page 5, line 1, line 8, and line 17, after "work," insert "required to be registered."—(*Mr. Dodson.*)

Amendments *agreed to.*

Amendment proposed, in page 5, line 17, after "work," insert "not being an alkali work."—(*Mr. Stevenson.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 11 (Certificate of inspector prior to registration of new works).

MR. STEVENSON moved, in page 5, line 34, to leave out "an," and insert "the chief." His object was to lay the responsibility upon the Chief Inspector.

Amendment *agreed to.*

MR. STEVENSON formally moved, in page 5, line 34, after "inspector," to insert "after his own examination or that of an inspector."

MR. R. POWER thought it but proper that the hon. Gentleman should state why he proposed to make this alteration.

MR. STEVENSON said, he had understood no objection was raised to the Amendment. In explanation, he might say that this was a case in which a certificate was required before a new work was allowed to be registered. The certificate was, by the Amendment just adopted, to be granted by the Chief Inspector; and he (Mr. Stevenson) now proposed that either the Chief Inspector, or a Sub-Inspector, should make the preliminary examination of the works.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

(*ii.*) *Inspection.*

Clause 12 (Appointment of Inspectors).

MR. DODSON moved to add, after line 20, page 6—

"The salaries and remuneration of the inspectors, and all such expenses of the execution of this Act as the Commissioners of Her Majesty's Treasury may sanction, shall be paid out of money provided by Parliament."

Amendment *agreed to.*

MR. WILBRAHAM EGERTON moved to add at end of the Clause—

"A person holding the office of Chief Inspector, other than the person at the commencement of this Act mentioned, shall not be employed in any other work except by the authority appointing him to such office."

Question proposed, "That those words be there added."

MR. SCLATER-BOOTH said, the Amendment was worded quite differently to that of which Notice had been given. He took it for granted that, as it was now put, it referred to the office of Chief Inspector; and he supposed they would have an assurance that the salary of the Chief Inspector would be something very different to that which he now received.

MR. DODSON said, the object of the Amendment which had been proposed by his hon. Friend, and which he (Mr. Dodson) had accepted, was to give effect to the recommendations of the Royal Commission that all the Inspectors employed by Government should give their undivided services to the public. The only exception was in the case of the very eminent person who now held the office of Chief Inspector, and he had always been in an exceptional position.

MR. SCLATER-BOOTH said, the right hon. Gentleman had not answered him. He said he took it for granted that the Amendment applied only to the case of the Chief Inspector. The right hon. Gentleman had now said all the Assistant Inspectors were to devote their whole time to the public service. They now received something like £200 or £300; but he had no hesitation in saying the expense would be three or four times as large as now if they were to give all their time.

MR. DODSON said, the right hon. Gentleman was labouring under a mistake. All the Inspectors except the Chief Inspector now gave their whole time.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 13 (Disqualification of certain persons for inspectors).

Mr. ERRINGTON moved, in page 6, line 39, after "applies," to insert "or in any other chemical work for gain." The Amendment was simply intended to extend the definition of disqualification of certain persons holding inspectorships.

Amendment *agreed to.*

Mr. PELL asked at what point it was intended to report Progress?

Mr. DODSON proposed to go to the end of the 24th clause. Hon. Members would excuse him for reminding them that that was what he proposed at the onset to do, and in doing so he stated there was no seriously contested Amendment up to that point. Under the circumstances, he trusted the Committee would allow them to proceed.

Mr. CHAPLIN would be sorry to interrupt the progress of the Bill; but it was possible they might have to wait half an hour or an hour, or even an hour and a-half, before they got to the end of the 24th clause. He must remind the right hon. Gentleman that, although some of them might not be taking an active part in the consideration of the Bill now before the Committee, there were several Bills on the Paper which they felt obliged to remain for and watch. As they all hoped to be in their places again at 2 o'clock this afternoon, the right hon. Gentleman ought to consent to report Progress at this point.

Mr. STEVENSON believed 10 minutes would enable them to complete the work contemplated at the rate of progress they were making.

Mr. PELL said, the right hon. Gentleman (Mr. Dodson) did inform them at the commencement that there was no cause for serious disagreement; but since then an Amendment had been moved which his right hon. Friend (Mr. Sclater-Booth) declared would impose an enormous cost on the country.

Mr. SCLATER-BOOTH hoped his hon. Friends would allow the Amendments to go on, because really they were most unimportant. The Bill was greatly needed, and, as everyone knew, was originally prepared under his direction.

Mr. HEALY asked if the right hon. Gentleman would consent to report Progress at 2 o'clock?

Mr. R. POWER said, he would support his hon. Friends, unless the Government would say they would consent to report Progress in 10 minutes or a quarter of an hour.

Mr. DODSON said, they would make much better progress with the Bill if they proceeded with the clauses up to the point he had mentioned, than if they stopped to discuss at what precise moment they should report Progress. If it should be found the hour was getting late before they reached the 24th clause, they might then consider whether they would report Progress.

Clause *agreed to.*

Clause 14 (Powers of inspectors) *agreed to.*

Clause 15 (Facilities for inspection).

Major NOLAN (for Mr. Dillwyn) moved, in page 7, line 22, to leave out all after "shall," to "render," in line 30. It was very proper that the owner of the works should be obliged to give a plan to the Chief Inspector of the furnace in which he carried on his secret process, and the Amendment was to secure that this should be done.

Amendment proposed, in page 7, line 22, to leave out from the word "shall," to the word "render," in line 30.—(*Major Nolan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. DODSON hoped the hon. and gallant Gentleman would not press the Amendment. If he would look into the matter, he would find that the Bill was a Consolidation Bill of the Acts relating to alkali works, and this provision was in those Acts, and the marginal note showed them where it was to be found.

Mr. GORST said, it was quite clear they ought to report Progress. They had come to a very seriously contested point, and, therefore, he moved to report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gorst.*)

The Committee *divided*:—Ayes 20; Noes 108: Majority 88.—(Div. List, No. 214.)

Mr. A. J. BALFOUR said, he could not believe that the Government really intended to go on with the Bill; and, in order to give them an opportunity of explaining their position to the House, he would move that the Chairman leave the Chair.

Motion made, and Question put, "That the Chairman do now leave the Chair."—(*Mr. Arthur Balfour.*)

The Committee *divided*:—Ayes 21; Noes 104: Majority 83.—(Div. List, No. 215.)

LORD RANDOLPH CHURCHILL thought the Government would now be willing not to insist on making further Progress with the Bill, and he should, therefore, move that Progress be reported. He wished the Committee clearly to understand that the reason why he and his hon. Friends objected to further Progress being then made was, not that they objected to the principle of the Bill or the purpose of the Bill, but to the extremely unusual, irregular, and he thought he might say slovenly manner in which the right hon. Gentleman in charge of the Bill had carried it on. The Bill affected important and large pecuniary interests; but it had been perfectly clear that the right hon. Gentleman had not made up his mind as to the particular Amendments which he would or would not accept. He had never seen a Committee of that House the proceedings of which more nearly approached to farce. Hon. Members produced Amendments from their pockets; the Chairman of the Committee could not understand them; he was assisted by the Parliamentary Secretary to the Local Government Board, who was again assisted by the President of the Local Government Board, who was himself contradicted by the former President of the Local Government Board. Hon. Members on that side of the House had been anxious to take part in the proceedings; but they could not understand what was going on. The right hon. Gentleman had said he would only go as far as the 24th clause, because there were no seriously contested Amendments before that clause; but the hon. and gallant Member for Galway (Major Nolan) had produced an Amendment raising a most important question, and therefore the ground on which the right hon. Gentleman thought the Committee should go was altered, and he thought the right hon. Gentleman would see that discretion was the better part of valour, and would not insist upon proceeding. The Bill was not blocked, so that Progress could be very well made at some other time.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Lord Randolph Churchill.*)

MR. OTWAY thought the best answer to the noble Lord would be found in the division that had just taken place. Members of great experience on that side of the House had supported the Government; but the noble Lord said he had never known a Bill managed in a more slovenly manner. He (Mr. Otway) had sat in the House for a great many years, and he had rarely known a Bill to be so well managed. This was a Bill of very great interest to the country generally; and it was a Bill of a highly technical character not easily to be contemplated by hon. Members who were not interested in the subject. The right hon. Gentleman had followed the extremely sensible course of coming to an agreement with hon. Members who had Amendments on the Paper, and the result was that up to the 23rd clause there had been no Amendment of any importance upon which he had not been able to arrive at an understanding. The noble Lord, and some hon. Members who supported him, had chosen to prevent the prosecution of the Bill to a successful issue; but he would put it to him and those who supported him—for he felt certain they had no wish to interfere with Business that was not of a Party character, but was of substantial benefit to the country—to allow the Committee to proceed. Two divisions had shown a great majority; and he thought the right hon. Gentleman opposite, representing the action of the late Government, might claim the adhesion of the noble Lord. He hoped the noble Lord would withdraw his Motion and allow the Committee to proceed in a reasonable manner.

MR. SCLATER-BOOTH said, he was in accord with the feeling that the Bill should proceed, and he regretted that his hon. Friends had not shown a little more self-restraint, seeing that by that time they could have made fair progress. At the same time, he was not prepared to sit up all night; and he would put it to the right hon. Gentleman opposite (Mr. Dodson) whether he had not already advanced to within a few minutes of the time which he had expected to reach.

Mr. CHAPLIN did not wish to enter into a discussion as to whether the Bill had been well or ill managed, nor did he presume for a moment to criticize the mode in which the measure had been conducted by the right hon. Gentleman opposite (Mr. Dodson). The hon. Gentleman (Mr. Otway) had said, very truly, that there was no desire to impede the Bill; but there was a great desire on the part of the Members on that side of the House, of whom he did not hesitate to say he was one, to go to bed, because they would be obliged to be there again at 2 o'clock that day. There were other Notices and Orders still on the Paper which possessed great interest for some hon. Members, and which they were obliged to watch; but until the discussion of that Bill came to an end it was impossible for them to go home to bed. He hoped the Government, at that time in the morning, would not persist. It was all very well to say that the discussion would be over in a few minutes; but Amendments had been introduced raising important questions, and the discussion might last one and a-half hours or longer.

Mr. DODSON said, he did not wish to continue this matter unnecessarily, and he would make a proposal to hon. Members opposite, which he hoped they would be willing to accept—namely, that they should dispose of the clause they were then on and then agree to report Progress. He would not enter into a controversy with the noble Lord as to the manner in which he had conducted the Bill. He would not dispute with the noble Lord as to his competency or incompetency; but he wished to say that he had endeavoured in conducting the Bill, whether ill or well, to conduct it with courtesy to hon. Members, and he did not wish to make an exception in that respect, even with regard to the noble Lord.

Mr. HEALY remarked, that if half-an-hour ago the right hon. Gentleman had accepted his suggestion to continue until 2 o'clock he would have got the Bill through whole and entire by this time.

Mr. ARTHUR O'CONNOR said, that, after all, this was only a question of one or two clauses, and he objected to working at that hour, because he believed that legislation after midnight was fraught with serious inconvenience to the country. Acts were habitually passed with very little consideration and examination in the small hours of the morning; and it was invariably found, after a Session or two, that they were incomplete, and must be amended. That was his objection to proceeding further with this Bill.

Mr. R. N. FOWLER wished to know how it was possible that any measure of a non-contentious character could be passed if such objections were raised. This was a Bill in which there was no disputed principle, and he thought the Committee should proceed with it.

Motion, by leave, *withdrawn.*

Major NOLAN complained that the Bill proposed to extend the principle of requiring people to give up plans to other than works involving muriatic gas. There were certain processes in regard to sulphur which were very expensive, and he wished to point out that the Bill would increase the force of that provision at least 10 times. It was one thing to give up ordinary plans, but quite another to give up secret and technical plans. He thought the Amendment of the hon. Member for Swansea (Mr. Dillwyn), who spoke with great authority, was a very proper one; and he hoped the right hon. Gentleman (Mr. Dodson) would give a pledge that the provision should only apply to works in which muriatic gas was produced.

Mr. STEVENSON said, this was a Consolidation Bill; it included principles which had been the law of the land since the passing of the Alkali Act of 1862, and by the Act of 1874 it was applied to other gases than muriatic gas. He believed there was no real objection to this clause on the part of the manufacturers.

Mr. ARTHUR O'CONNOR remarked, that if the words were omitted which were proposed to be left out, all reasonable objects would be attained by the clause. The owners would still be required to render all reasonable facilities for inspection. In the third line of the clause it was provided that plans should be given, but that they should be kept secret. In the second part of the clause, however, it appeared that the plans were to be communicated to the Inspectors, the Assistant Inspectors, and all the agents of the Inspectors. What amount of secrecy could there be in such an arrangement? It was upon this ground that he supported the Amendment.

MAJOR NOLAN said, that if he got no answer from the right hon. Gentleman the President of the Local Government Board he should certainly move to report Progress. He thought he was entitled to some kind of answer when he brought forward a reasonable proposition.

MR. DODSON said, he had not answered the hon. and gallant Member, first of all because he thought he had answered the objection already; and, secondly, because an answer had been given by his hon. Friend behind (Mr. Stevenson), who spoke from practical experience of the working of the existing Acts. It was not from any want of courtesy towards the hon. and gallant Gentleman that he had not risen to reply. He was sorry that he could not accept the Amendment, which would involve a breaking down of what had hitherto been the legislation of the country. He hoped the Committee would agree to the clause, and he should then be prepared to report Progress.

MAJOR NOLAN remarked, that the references in the Bill to previous Acts were badly drawn. He would not press the Amendment; but he hoped the hon. Member for Swansea (Mr. Dillwyn), in whose name it appeared on the Paper, would have an opportunity of bringing it up again upon the Report.

MR. WARTON complained that the President of the Local Government Board had dictated to the Chairman seated in his place with his hat on when he should put the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Committee report Progress; to sit again *To-morrow.*

## PETTY SESSIONS CLERKS (IRELAND) BILL.—[BILL 41.]

(*Mr. Litton, Mr. James Richardson.*)

COMMITTEE. [*Progress 16th May.*]

Bill *considered* in Committee.

(In the Committee.)

New Clause,—

(Superannuation.)

"The superannuation or retiring allowance of each petty sessions clerk retiring from office through age or infirmity shall be estimated upon his salary and emoluments of his office at the time of his so retiring, and shall be chargeable on the petty sessions clerk's fund,"—(*Mr. Litton,*)

—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. ARTHUR O'CONNOR would object to the second reading of the clause unless the hon. and learned Member in charge of the Bill could inform the Committee what were the emoluments received by the clerks of petty sessions in addition to the salaries paid. He believed that in some instances these emoluments were very considerable, and the effect of this clause might be to throw an unfair burden upon the ratepayers.

MR. LITTON said, the case stood thus—under 21 & 22 *Vict.* provision was made by which the petty sessions clerks received pensions regulated by the amount of the salaries they received, but which salaries fluctuated with the amount of fees received from year to year. The present Bill required that these pensions should be based upon the amount of emoluments received, as well as salaries, which by the Bill were proposed to be fixed for the future. The emoluments had reference to a certain portion of the dog licence tax, which the petty sessions clerks received as remuneration. It was only reasonable that when they came to receive their pensions the pensions should be calculated upon the emoluments as well as the salaries.

MR. ARTHUR O'CONNOR asked what the emoluments were? He questioned very much whether any hon. Member could inform him.

MR. MELDON said, that he knew something about the matter. The clause originally stood in his name, and the hon. and learned Member who had charge of the Bill agreed to adopt it. The petty sessions clerks were paid in two ways—by salaries, and by emoluments from fees on prosecutions, fees on licences, &c. The Bill provided, as it was introduced, that the clerks should be entitled to superannuation allowances on their salaries only, ignoring the fact that they were also paid by fees. Thet present clause merely provided that the fees as well as the salaries should be taken into account, as they were, at this moment, in the remuneration received.

Mr. CALLAN said, the Bill took away all inducement from the petty sessions clerks to advise the magistrates in favour of convictions. Looking at the measure from a popular point of view, or from what was called the people's standpoint, it was a very desirable Bill. Strange to say, it received the sanction of every class in Ireland, so far as he could ascertain. In a recent visit to Ireland he had discussed the matter with every class of the people, and he had found there was a universal feeling in favour of the Bill. He therefore hoped that the hon. Member for Queen's County (Mr. A. O'Connor) would withdraw his opposition, unless he had received strong representations from Ireland against the measure. In the event of his hon. Friend not having received such representations, he hoped he would allow himself to be guided by the opinion of those who had really considered the question.

Mr. ARTHUR O'CONNOR said, he had not the least objection to the Bill, and had promoted it as much as he could on the second reading. He knew that it was a good Bill, and all that he objected to was this particular clause. He objected to it because he believed that the emoluments of the petty sessions clerks were not exactly known, and, therefore, that it would be unfair to saddle the ratepayers with a permanent charge on the strength of emoluments of which they knew nothing. Among the emoluments were the licences on the dog tax. The hon. and learned Member in charge of the Bill said nothing about that.

Mr. LITTON said, the hon. Member was mistaken. He had referred to the dog tax.

Mr. ARTHUR O'CONNOR was certainly of opinion that the majority of the Irish Members were not aware what these emoluments were. His contention was that they were not of a kind that superannuation ought to be calculated upon.

Mr. HEALY was in favour of the Bill; but he should certainly like to know from the hon. Member for Kildare (Mr. Meldon) what was done with the dog tax?

Mr. MELDON replied that the dog tax was one of the sources from which the petty sessions clerks were paid. Up to the present time it had been to the interest of the petty sessions clerks to bring about as many convictions as possible, and it was for the interest of the public that the present mode of proceeding should be altered. In bringing in the Bill his hon. and learned Friend (Mr. Litton) had apparently forgotten that the superannuation allowances should be calculated on certain fees received from fines which did not fall upon the ratepayers at all. It was to remedy that omission that the present clause had been proposed.

Motion *agreed to.*

Clause *ordered* to stand part of the Bill.

Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

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### SUMMARY JURISDICTION (PROCESS) BILL.

On Motion of Mr. Marjoribanks, Bill to amend the Law respecting the service of Process of Courts of Summary Jurisdiction in England and Scotland, *ordered* to be brought in by Mr. Marjoribanks, Colonel Home, Sir Matthew Ridley, and Mr. Arthur Elliot.

Bill *presented*, and read the first time. [Bill 179.]

House adjourned at half after Two o'clock.

## HOUSE OF LORDS,

*Friday*, 27*th May*, 1881.

MINUTES.]—Select Committee—Irish Jury Laws, *appointed.*

Public Bills—*First Reading*—Gas Provisional Orders* [97].

*Second Reading*—Married Women's Property (Scotland) (75); Local Government Provisional Orders (Berwick-upon-Tweed, &c.)* (85).

### RAILWAYS — ADMINISTRATION OF FOREIGN RAILWAYS.—QUESTION.

Lord BRABOURNE asked the Secretary of State for Foreign Affairs, If there had been a Report received from from Mr. Crow, British Consul at Berlin, with respect to railway rates and charges, and the administration of railways by the Government of Germany?

EARL GRANVILLE, in reply, said, that there was such a Report. It had been presented to Parliament in March last, and would be found among the Consular Reports.

## VALUATION OF RATEABLE PROPERTY (IRELAND)—GRIFFITH'S VALUATION.

### OBSERVATIONS. QUESTION.

THE DUKE OF ST. ALBANS, in rising to call attention to the law relating to the valuation of rateable property in Ireland known as Griffith's valuation, and to the unsatisfactory assessment of such property now in force, said, the subject of his Notice had been so threshed out during the past winter that it was unnecessary he should offer their Lordships any explanation beyond reminding them it was admitted that the prices, except in the instance of wheat, on which Sir Richard Griffith founded his valuation, were so below their present value as to make it a fallacious test of what the land which produces them was worth at the present time. It therefore followed that the principle held in Scotland, and partially in England, that the ratal should be dependent on the rental, could not be fairly universally applied in Ireland that rents should be governed by rates. There, however, was always the fact that Griffith's valuation existed, stamped with the authority of the Government in force for purposes of taxation, as their estimate of what the land was worth, and he said this was misleading. A Chancellor of the Exchequer might recognize the uses of such a scheme as Griffith's valuation; but it was another thing what Irish tenants would think of it when insidiously placed before them by agitators for their own purpose, nor was it easy to explain why a landowner could justly and legally demand a larger sum from the tenant than that on which he paid Income Tax. It was impossible to deny that Griffith's valuation played a great part in economic relations in land in Ireland. The landlord, the tenant, and the passer-by inquired the relation between the rent and the rates. He thought he was justified in making this appeal by the terms in which Mr. Baxter introduced the General Valuation (Ireland) Bill in 1873, at a time when the present Lord President of the Council (Earl Spencer) was Lord Lieutenant of Ireland, and the now Secretary of State for India (the Marquess of Hartington) was his Chief Secretary. On that occasion, Mr. Baxter, expressing, as he (the Duke of St. Albans) supposed, the opinion of those noble Lords, said that the valuation of the Southern and Western Provinces of Ireland was made when prices were exceptionally low, shortly after the Famine of 1847, and that the valuation of these Provinces was less than it ought to be. Mr. Baxter concluded his remarks by saying he believed the result, if his recommendations were carried out, would be as beneficial in Ireland as they had been in Scotland. On the second reading of the Bill, Mr. Kavanagh, who knew Ireland as well as any man did, speaking from the Conservative Benches, said the whole valuation of land in Ireland was far below what it ought to be, and that it ought to be placed on a fair basis. A Scotch Member (Mr. Duncan M'Laren), in the course of the debate, mentioned that Scotland was re-valued every 12 months, and he (the Duke of St. Albans) could not see why Ireland should not be so as well. He believed most of their Lordships who were experienced in land matters in Ireland would welcome such a valuation. The importance of the subject to those resident in Ireland would be his excuse for bringing it under their Lordships' attention. He believed if he had challenged a direct expression of opinion on this subject, many of their Lordships most conversant with Ireland would have supported him; but he had no desire to embarrass the Government in their present attempt to improve the condition of Ireland, and, therefore, without attempting to deal further with the general question, he would simply ask Her Majesty's Government, Whether they would take any steps to have the law amended, so that in future the valuation of land in Ireland made by the Government Department for the purposes of Imperial and local taxation might not mislead public opinion as to the real value of such land?

THE EARL OF BELMORE said, he agreed with much that the noble Duke opposite (the Duke of St. Albans) had said. He desired, however, before the Question was answered, to point out how undesirable, in the opinion of nearly everyone who had given evidence or written on the subject, it was to make valuations made for Imperial and other purposes the basis of rent. He had heard from a friend that in his part of the country the land was at least 50 per cent under Griffith's valuation; while in his own part of the country Griffith's valuation was much nearer, and he therefore paid much higher rates than his friend. He did not think it was necessary to have an entirely new valuation, as there were materials in hand for correcting them, and those materials should be made use of, the only thing required being a careful study of the data upon which Sir Richard Griffith worked, and a careful comparison of the old value of properties with the present price of farm produce, making the necessary alterations so as to arrive at a new valuation. He thought, however, that it was most desirable that they should have an issue of new Ordnance maps in reference to the boundaries of estates and other matters. There ought also to be a broad distinction between the valuation of land and the valuation of houses, because in many instances the landlords had to pay taxation upon the valuation of houses that belonged to the tenants. As changes were about to be made at the present time, he thought it only fair that a landlord should only be taxed on the valuation of his land, on something like the real value of the rental he received.

The Marquess of LANSDOWNE said, that Griffith's valuation had been one of the thorns which had recently been constantly stuck into the sides of landlords, and, at the same time, one of those delusions that had been perpetually dragged before the attention of tenants, who were often only too willing to listen to the statements of agitators. While he sympathized with the noble Duke who had raised the question (the Duke of St. Albans), in his wish to see the question settled on a satisfactory basis, he was not sure that the suggestion made by him was likely to bring about the best possible solution of the question. He felt some doubt if the revaluation of land in Ireland would be of such value as the noble Duke seemed to think. The noble Duke was perfectly candid in stating that he did not wish the Commission so much to obtain a perfect basis for valuation, as to prevent the public mind being misled with regard to the rating value of land. He (the Marquess of Lansdowne), however, doubted whether an amended valuation would be either a useful, a practicable, or desirable measure at that moment; while as to its effect on either public opinion or taxation, he doubted whether it would be very important. As regarded local taxation, it would probably lead to the result that the taxpayer would, in most cases, pay about the same amount of rates as at present, but in a different way. He would pay a lower percentage upon a higher valuation. When they came to the question of the general valuation of land the noble Duke, in dwelling upon its fallacies, seemed to be trying to slay the slain. He (the Marquess of Lansdowne) did not think anyone believed in it as an absolute or relative standard of rent, except, perhaps, those who conceived that by some Divine dispensation the land ought to be the property of those who tilled it. For some time past no one had been able to take up a paper in Ireland or England without finding an exhaustive demolition of Griffith's valuation. It had again been demolished in the able pamphlets issued by the Dublin Land Committee, and it had finally been put out of Court by the Reports of the two Commissions on the subject. He, therefore, doubted whether a new valuation would effect any good result. He ventured to think that the difficulties in the way of making such a valuation were so serious that at no time would it be very expedient to encounter them with a light heart; but, at the present moment, and under the present circumstances, it would be most inexpedient to do so. It must either be intended as a gauge of rent or it must not. If it was not intended as a gauge of rent, it would be valueless for the purposes of the noble Duke. If, on the other hand, it was to be the future measure of the letting value of land, then he asked their Lordships to consider the difficulties and obstacles which remained to be overcome. In the first place, they would have to consider the principle on which the valuation was to be based. Would they calculate the rent on what was called a scientific basis—that was to say, what the tenant would be able to pay to the owner after providing for his own maintenance and that of his family, and after, in addition to that, securing for himself a fair profit for his expenditure and industry? In that view, they would be met with this difficulty—that on the authority of two or three Members of Her Majesty's Government there were many holdings in Ireland so small that if the tenants held them rent free they would not have sufficient means to keep their families in a decent state of comfort. What, then, should be the rent of such holdings? Would it be a minus quality? Then there was a further difficulty—with reference to what standard of agriculture would the valuer fix the rent? Would the Public Department intrusted with the valuation have to estimate the rent with reference to the results which would be obtained from a proper treatment of the soil; because obviously it would be unjust to fix rents with reference to the sort of agriculture which prevailed in some parts of Ireland, where, to use the words of the Duke of Richmond's Commission, it was "miserably backward and feeble." Was the rent, then, to be computed on that basis, or on the basis of a more advanced and improved system of agriculture? But let them assume that these and other formidable difficulties had been overcome, there remained to be considered the question of time. They would have to deal with every one of these 600,000 tenancies at present existing in Ireland. His noble Friend (the Duke of St. Albans) had mentioned seven years as the time within which the valuation might be completed. He (the Marquess of Lansdowne) felt doubt whether it could be concluded in that time, as it would be necessary to examine into such questions as that of the subsoil, the climate, the nearness of markets, and the thousand and one other questions which entered into the value of land. And, after all, when they had got their valuation, it would be inconclusive upon the most important point. It might give with perfect justice the letting value of a farm as it stood; but that would not determine the fair rent as between the actual owner and occupier, which could not be arrived at without ascertaining the tenant's interest in his holding, and whether he or the landlord had made the improvements. Before all these points could be effectually cleared up, it would be necessary to have upon every one of the 600,000 tenancies what was commonly spoken of as "a land case." The noble Duke had referred to Mr. Baxter's speech delivered in the year 1873. But in that year, so far as he (the Marquess of Lansdowne) was aware, there was no proposition before Parliament to deprive the landlord and the tenant of the power of entering into contracts for the letting of land, and to compel them to place that duty in the hands of a Land Court. He would not be guilty of the irregularity of discussing a measure which was not before their Lordships' House; but, without any breach of Order, he thought he might say that it would require some courage to assert that some kind of measure affecting land tenure in Ireland would not be likely to pass within a reasonable period, and that one incident of that measure would not be the establishment of a Court which could be intrusted with the duty of fixing a fair rent. If so, would the new valuation be binding on the Court, or would it not? He had no doubt that a valuation such as that proposed by his noble Friend would not be regarded as binding on the Land Court when considering the circumstances of each individual case; and, if so, it followed that after all the trouble, expense, and delay they would have a valuation which would not be accepted by either the landlord or the tenant, and would not be binding upon the Court which might hereafter be called upon to decide questions of this kind. He therefore submitted that, although Griffith's valuation was not to be relied on or regarded as an absolute or even relative gauge of rent, it would be, in present circumstances, unwise on the part of Her Majesty's Government to undertake such a valuation as that which had been suggested.

LORD WAVENEY said, that, while there was much to complain of in Griffith's valuation, he did not think, for the reasons pointed out by the noble Marquess who had just sat down (the Marquess of Lansdowne), that a new valuation should be made at the present time. The Land Courts would have limited districts to deal with, and they would have the opportunity of arriving at a fair measure of rent in the case of different holdings. The principal difficulty would be owing to the number of holdings; but that could be overcome by taking the valuation in acres, and so arrive at a conclusion. It appeared to him that the tenant's interest would be more accurately ascertained in the way he had suggested than in any other, because there would be a standard of the value of land in addition to the positive value. At the same time, he must say that, after many years' experience in Ireland, he thought it was possible to construct a valuation upon much more accurate principles; and the nearer they came to the Ulster Custom the more likely would they be to obtain a satisfactory result. The Ulster Custom was an immense advantage in determining the interest of the tenant, and it was wanting in the other three Provinces, in which all interests were massed together. Therefore he insisted strongly on some regulated and well-understood scale which should give the characteristic value of the land. It would be the most fatal termination of any Session of late years if the House of Commons returned to their constituents and their Lordships to their duties in the country without passing a Land Bill which should be acceptable to Ireland.

Lord ORANMORE and BROWNE said, there could be no doubt about the difficulty in getting a proper valuation, and he did not think that difficulty had been overrated by the noble Marquess (the Marquess of Lansdowne). Griffith's valuation took a very long time to make, and was only made after considerable preparation by experienced men; but, notwithstanding the preparation with which it was undertaken and the ability with which it was carried out, it was, on the whole, totally inadequate, and did not make sufficient allowance for contiguity to towns and markets or to the seaboard, where valuable manure for potatoes could be obtained for nothing. That made a considerable difference. He knew men who rented land close to where fairs were held, and they made their rent by letting their land for a few nights' grazing at fair time. He thought, pending a settlement of fair rent under the proposed Land Bill, Griffith's valuation would be good as a basis, for if a new valuation was to be made, the valuation would take a number of years to complete. If the Land League continued, it would choke the new Courts; and if they did that, owners might as well say good-bye to their property at once, and Parliament might as well pass a measure giving their property to the tenants. He hoped something would be done soon, and that the Government would not leave rent a vague and indefinite thing, but would formulate it in some practical way, which would show that it was not their intention to transfer land absolutely to the tenants, as would be done if some presently acknowledged basis were accepted.

Lord CARLINGFORD said, he agreed very much with what had been said by the noble Marquess behind him (the Marquess of Lansdowne), who appeared to have given reasons more than sufficient for the kind of answer which he had to give to the noble Duke (the Duke of St. Albans)—reasons why he was not able and did not think it expedient to pledge Her Majesty's Government to undertake the re-valuation of Ireland. But if the noble Marquess meant—though he (Lord Carlingford) did not suppose he did—that the present valuation was in all respects a satisfactory one, and ought to be permanently maintained in its present position, he (Lord Carlingford) was unable to go with him as far as that. He thought it was evident that the present valuation was a very imperfect one, and that there were reasons which, sooner or later, must induce the Government to see that it was revised and placed on a sounder footing. But that was not a task to be lightly undertaken, and he did not think the noble Duke would expect him to pledge the Government in the present state of Public Business, and of Irish Business in particular, to bring in a Bill for that purpose, especially in view of the fate which had met former Bills on this important subject. Two Bills for the purpose of revising the general valuation of Ireland and providing a new one had been brought in by two successive Governments, but had signally failed to make their way through the other House of Parliament; and he was not able to say that such a task should be undertaken now, although he fully admitted the imperfections of the system as it stood, and the grave reasons that existed for improving it. There could be no doubt that in Ireland they ought to pay a little more Income Tax. And it was true that the inhabitants of the Middle and Southern Provinces of Ireland were paying less than their due share of taxation in comparison with Ulster. It was also true that tenants of arable land in Ireland were paying more than their due in comparison with those who held grass lands in that country. But the noble Duke who introduced this subject did not refer to any one of these grievances, his only grievance and only reason for insisting on a re-valuation being that Griffith's valuation misled public opinion as to the real value of land. No doubt that had been the case; and for that result landlords and Members of Parliament were, to a great degree, themselves responsible. But the danger of misleading the people of Ireland on that point no longer existed. There were not two opinions on the subject, even in Ireland. He (Lord Carlingford) understood that the Land League, and those tenants who were influenced by that body, by no means swore by Griffith's. There seemed, therefore, to be a practical unanimity of opinion that that valuation was out of the question as a guide for rents in Ireland. That opinion had been stated in the strongest way in the evidence before the Royal Commission on Agriculture, and also in the clearest way in the Report of the Irish Land Commission. It was therein stated—

> "If anything has been clearly established it is this, that Griffith's valuation is not a trustworthy standard for the settlement of rents."

It was also said—

> "If a new valuation is required for rating purposes, it should rather be made at a time when there was no general desire to convert it to rent purposes."

That was a very sensible reason for not introducing a new valuation in the days through which they were now passing. It also came out in the Royal Commission, and he thought it was a fact worthy of the notice of their Lordships, that while there were many rents in Ireland far above Griffith's valuation, which, nevertheless, were fair and reasonable rents, yet, with regard to the poorer tillage lands, it was quite high enough, and in case of revision would not admit of any addition whatever. That was an important statement made by Mr. Ball Greene, the Commissioner of Valuation, that in the case of the poorer tillage lands the rent at Griffith's valuation might be considered a fair rent, quite sufficiently high. He thought the noble Duke (the Duke of St. Albans) need not be under the slightest apprehension that the Court proposed to be constituted for the settlement of rent would be guided by Griffith's valuation. No such tribunal would judge by such a standard. Each case would, undoubtedly, be considered on its own merits, whatever they might be; and the noble Duke need not have any alarm that it would be guided by any such valuation as that now in force in Ireland. While, therefore, he fully admitted the imperfections of the Irish valuation, and the reasons that existed for improving it at the proper time, he could not undertake to pledge the Government to make that change now.

## MARRIED WOMEN'S PROPERTY (SCOTLAND) BILL.—(No. 75.)

(*The Lord Chancellor.*)

### SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, that it had passed the House of Commons, having been introduced there by a Representative of one of the largest of the Scotch constituencies, and having received the assent of the majority of the other Scotch Representatives. Two Acts had been passed in Scotland on this subject—one in 1861, and the other in 1877. The Act of 1861 provided that, in the case of a wife being deserted by her husband, or in case of a separation by decree of a Court, she could obtain a protection order from the Court or Judge, which would have the effect of giving her control over her own property, and removing it from that of her husband; and there was a further clause in that Act which said that if after marriage the wife should acquire any property, the husband might be compelled to make proper provision out of it for her benefit. The Act of 1877 extended those provisions. By it the husband's right was entirely excluded in all cases of the earnings the wife might make by any separate employment, or literary, scientific, or artistic exertions; and the husband was exempted from liability for his wife's ante-nuptial contracts. That was all that had as yet been done in Scotland with a view to diminishing the powers of the husband over the property of the wife. In England a good deal more had been done, for in the year 1870 an Act was passed to enable wives, whether married before or after the passing of the Act, to secure to themselves against the husband all earnings in trade or business, literary, scientific, or artistic exertions, and all stock of more than £25 in the public funds or Joint Stock Companies; and with regard to women married after the passing of the Act, it secured to them all real estate which they might own, after the passing of the Act, up to the value of £200. The present Bill was introduced in order to carry out the same process of enlarging the wives' legal rights, and, of course, diminishing those of the husband. In Scotland the question which arose in the minds of the framers, with reference to the English Act, was, whether those provisions, large in their character and special in their particulars, might not be better dealt with in a wider or simpler form. The present Bill provided that, in regard to those women who might be married after the Act passed, all the personal and real estate which they had at the time of the marriage, or might afterwards acquire, unless there was a contract to the contrary, should remain and be the separate property of the wife. With regard to those who were already married, there were provisions the effect of which he would state. The 3rd clause of the Bill said the Act should not apply to those already married, with this exception—that property coming to them after the Bill passed would also be subject to the provisions of the Bill; a provision which, no doubt, was wider in its scope than the corresponding provisions of the English Act. The 4th clause provided that married persons might, if they thought fit, by mutual consent, and by a certain procedure, which should be registered, place themselves under the Act. He would not trouble their Lordships with the 5th clause further than to say that, in case of desertion, the Court might dispense with the husband's consent to any deed relating to her estate. The 6th clause was a provision which was introduced in some of our Colonies, especially Canada, and which, as regarded its principle, appeared to be neither unjust nor unreasonable—namely, that in regard to married persons domiciled in Scotland, in the case of the intestacy of the wife, the husband should take a similar interest in the wife's estate which the wife would take in the husband's. There was also a provision in the Bill that if the personal estate of the wife should be lent or intrusted to the husband who became bankrupt, it should be treated as assets of the husband's estate in bankruptcy, under reservation of the wife's claim to a dividend as a creditor for the value of such money or other estates. He proposed, in Committee, to amend this, by postponing the wife's claim to dividend until all the husband's creditors for money or money's worth had been paid. As to Clause 7, relating to the liability of the husband to the wife's estate for the maintenance of the family, he proposed to move the omission of that clause in Committee, and trust to the good sense and good feeling of the husband and wife. He had now said all that was necessary, and would ask their Lordships to read the Bill a second time.

*Moved*, "That the Bill be now read 2ª."—(*The Lord Chancellor*.)

Earl CAIRNS said, that, although he had some objections to the details of the measure, he had nothing whatever to say against its principle.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on the *first sitting day after the recess at Whitsuntide.*

## AFFAIRS OF TUNIS.

### OBSERVATIONS.

Earl DE LA WARR, in rising to call attention to the state of affairs in the Regency of Tunis; and to ask, what steps Her Majesty's Government propose to take in reference to the French invasion of that country, the breach of International law, and the treaty or convention which the Bey by military force has been compelled to sign; also to move for Papers, said, he did not think their Lordships would dissent from at least one remark which he was about to make—that the time was come when the country ought to know what was to be the future policy of Her Majesty's Government with regard to the affairs of Tunis. Events had marched rapidly onwards, and what was lately foreseen in the future had now become history of the past. But, under the garb of diplomatic secrecy, information had been withheld, save what had been given by the public Press, till it was announced that one of the fairest and most fertile countries of Northern Africa was virtually placed under a French Protectorate. It was but a few weeks ago that rumours reached the country that French troops were being massed on the Frontier of Algeria and Tunis; and it was soon afterwards stated, on the authority of M. St. Hilaire, the French Minister of Foreign Affairs, that the sole object of the movement was to punish and repress some lawless mountainous tribes who had been committing ravages on the Algerine Frontier, and that there was no idea on the part of France of conquest or annexation. But it soon became apparent that these tribes could nowhere be found. The troops then occupied the most important military positions in the country, with the view of encircling, as alleged, the supposed enemy. But, failing in this, after throwing some hundred shells into a fort which was afterwards discovered to be almost unarmed, the troops advanced to within a few miles of the City of Tunis. Ships of war, in the meantime, were engaged in operations on the coast; the French General, with an armed escort of 100 men or more, and with a large force encamped within two miles of the residence of the Bey, went to the palace and demanded an audience of the Sovereign. Guns were also placed in position commanding the palace. He was now stating what had been told him personally by an eye-witness, who was in the palace at the time. A Treaty was produced, of the contents of which their Lordships were now aware, which was at length signed by the Bey, under the pressure of military force. Thus ended the military drama. They now came to the diplomatic part, and here let him say it was far from his wish in any way to represent what was not strictly correct in what had taken place. He knew that excited feelings might sometimes lead to statements which might afterwards be viewed with regret. But, calmly speaking, and looking at the events which had taken place, he would ask the Government what value they placed on the assurances that had been given them by the French Government. Was it possible that this was not a premeditated plan of operation? Would an army of 20,000 men, and he believed he was understating the number, have been sent to stop the incursions of a few almost unarmed mountain tribes? And, if it was not premeditated, what change of circumstances caused the change of operations? Scarcely any hostile tribes appeared, save some harmless Bedouins or other Natives here and there tending their flocks and herds, whose tents, as alleged, were burnt and themselves sometimes shot. The Bey offered no hostility, but only protested, carefully avoiding all collision with the French troops, and treated them in a friendly manner up to the time when his independence was wrested from him. And that was done acting upon the assurance which had been repeatedly given that the operations of the French troops would be strictly confined to the punishment of the Kroumirs. But how was it that Her Majesty's Government were left uninformed of that? How was it that they assured their Lordships and the country that this expedition meant nothing beyond repressing some hostile tribes, while the French General must have had his orders to force submission upon the Bey, and carried with him the Treaty which was to be extorted from him? That was a matter upon which their Lordships ought to be informed. Did Her Majesty's Government believe that the avowed object of this expedition was the real one? He would for a moment refer to the Papers which had been laid before the House, in order to show that there was information in the hands of the Government which had not been communicated to their Lordships. It was impossible not to see that this question of French influence in Tunis was one of long standing, and that it had not its beginning in the recent outbreak of Frontier Tribes. As far back as the year 1878 M. Waddington, the then French Minister for Foreign Affairs, related a conversation which took place between himself and the noble Marquess below him (the Marquess of Salisbury), which it was impossible to read without seeing that it had been long a question of taking the first opportunity of spreading French influence. He found that the noble Marquess did not admit the construction put upon his words as given in the despatch of M. Waddington; and the improbability of the use of such words was much confirmed, if confirmation were needed, by what had been stated by the noble Earl opposite (Earl Granville) in his despatch dated June 17, 1880, in which he said—

> "In the view of Her Majesty's Government, Tunis was a portion of the Ottoman Empire, to dispose of which Great Britain had no moral or International right."

He would now return to that part of the subject more immediately before the House—the recent action of Her Majesty's Government. It was upon the 5th of April last that the French Government announced their intention of taking steps to subdue the lawless Frontier Tribes, that only being the avowed object. But almost immediately after that, on the 9th of April, Lord Lyons informed the noble Earl opposite that M. St. Hilaire's language implied that the expedition was undertaken solely with a view to chastise the lawless tribes, and that it was not intended that it should enter further into Tunisian territory than might be necessary for that purpose. The noble Lord further said—

> "It may be that the present intentions of the French Government do not go much beyond this. I am not, however, blind to the probability that they may be led on much further, and even M. St. Hilaire hinted that the opportunity might be taken to bring the Bey of Tunis to his senses with regard to other matters affecting French interests."

Lord Lyons made use of other words indicating anxiety as to the possible consequences. This very important despatch of Lord Lyons was received at the very beginning of the expedition, and a further despatch, dated April 12, was in the same tone of apprehension, and quoted the words of M. Jules Ferry in the French Chambers, who "spoke of the entrance of French troops on Tunisian territory as a matter of course." To the same effect were the despatches of Mr. Reade, Her Majesty's Consul at Tunis. He wished to recall the attention of the noble Earl opposite to these despatches of Lord Lyons and Mr. Reade, as he could not understand how it was that the House had been informed on several occasions that the French Government had no idea of annexation or conquest, but that their operations would be confined to the punishment of the Frontier Tribes. On the 6th of May the noble Earl stated in the House—

> "It does not appear unreasonable that the French should resent outrages within the Algerian frontier, and should take measures to prevent the recurrence of such outrages. The French Government have constantly given us assurances that they have no intention to annex territory, and yesterday they formally and distinctly authorized Lord Lyons to assure Her Majesty's Government that there was no idea of conquest or annexation with regard to Tunis." [3 *Hansard*, cclx. 1927.]

Now, at the very time that the noble Earl addressed these words to the House, he was in possession of the information that the French troops had occupied the fort of Bizerta and other military positions, and were advancing in the direction of the City of Tunis. At the same time, in a despatch to Lord Lyons, dated the 7th of May, the noble Earl said—

> "They (Her Majesty's Government) cannot, however, conceal from themselves that proceedings of a military nature such have been instituted by the French—the occupation of Bizerta and the destruction of the fort of Tabarca—seem to be directed to some object beyond the mere chastisement of disorderly Arab tribes on the frontier, nor can they affect to misunderstand the intimations which have been given to your Excellency by M. Barthélemy St. Hilaire that, although the French Government did not seek to establish a protectorate, the new Treaty which would be imposed upon the Bey would be in the nature of one."

He could not reconcile those facts and statements with the words of the noble Earl on the 6th of May, that "the French Government had shown no intention of annexation." He came next to the point of Treaties and International rights. Her Majesty's Government had recently stated that Tunis was an integral portion of the Ottoman Empire, and in that view it naturally followed that no Treaty could be valid without the consent of the Sultan. He need hardly remind the House that the strongest proofs could be adduced in support of that. Among them was the fact that the Beys of Tunis had always received investiture from the Sultan, and that troops in lieu of tribute were furnished in time of war, and there were other stipulations of a similar kind. It was known that the French now refused, for manifest reasons, to acknowledge the suzerainty of the Sultan; but it would be easy to show that France in Treaties dating back to 1604 and onward to 1824 acknowledged it, and so recently as 1863, on the occasion of the Tunisian Loan contracted at Paris, M. Drouyn de Lhuys, Minister for Foreign Affairs, suggested the authorization of the Sublime Porte to legalize the transaction. But, however that might be, the noble Earl opposite could not regard the Treaty which had just been signed as a legal document, if Tunis was a part of the Ottoman Empire. By the Treaty of Paris in 1856, by the Treaty of London in 1871, and by the recent Treaty of Berlin, the integrity of the Ottoman Empire was guaranteed. He could not leave this part of the subject without alluding to what must be regarded as a great violation of International rights. The territory of a neighbouring and friendly Sovereign was invaded against repeated protests, without any declaration of war, military positions were taken up in various parts of the country, his flag was hauled down from a Tunisian fort and the French flag hoisted, troops advanced to the walls of the city, the general with an armed escort entered the palace, and, under military compulsion, a Treaty was signed. Whether Tunis owed allegiance to the Sultan or whether the Bey was independent, there had surely been a great violation of International rights. And now he came to this—In what way did it affect this country? It was impossible to look at the geographical position of Tunis without seeing that it was a matter of great importance. It could not for a moment be supposed that this country could regard with indifference a territory like Tunis falling into the hands of a great Power commanding, as it might do, the channel to the East along which the greater portion of the traffic of this country passed. There was a narrow channel of not more than 80 miles between the Italian and Tunisian shores. At no great distance from Tunis lay the harbour of Bizerta, with sufficient water—from five to seven fathoms—to float the largest iron-clad in any Navy with sufficient space, being about eight miles in length and in width about five miles, to manœuvre a fleet, and which, at a comparatively small outlay at the entrance, might be made one of the finest harbours in the Mediterranean. In case of war, how greatly would be increased the difficulty of our communications with the East, how greatly would it add to the difficulty of maintaining our position in the Mediterranean if a large French Fleet were at Bizerta, within 200 miles of Malta. There was another point of which he must briefly remind their Lordships, and it was one of some importance. Malta was mainly dependent upon Tunis for provisions, both meat and corn. In the event of war, if Tunis were in the possession of France, it would be difficult to know whence these supplies could be procured. And he could not omit to mention that the future commercial interests of this country might be greatly imperilled if the Regency of Tunis were under a French Protectorate. At present, Commercial Treaties with Tunis were favourable. If France was for the future to have the control of Treaties such as that of 1875, which expired in 1882, very different conditions might be imposed which might seriously affect the exports of our manufactures. He did not believe that this country would regard with jealousy any just and fair development of French interests in the Mediterranean; but the annexation of territory, or the establishing a Protectorate over a country without the consent of other Powers who had great interests at stake, could not do otherwise than lead to an estrangement which might be productive of grave and serious consequences. He must say, in conclusion, that in the Papers and Correspondence now before their Lordships, he could see no distinct intimation as to what would be the future policy of Her Majesty's Government. He trusted it would no longer be withheld, and he sincerely hoped it would be based upon the upholding of Treaties and the respecting of International rights—that unjust aggressions would not be tolerated, and that the honour and good faith of this country would be maintained.

LORD STANLEY OF ALDERLEY said, that perhaps the less was said in Parliament about the recent proceedings in Tunis the more chance there would be of the French adhering to the professions of their Government and of their desisting from extreme exactions. It was the less necessary to speak of the disregard of the Law of Nations, since within the last few days a pamphlet had appeared, written by a Frenchman, appealing to Frenchmen to do right, and laying the blame on those who had tempted France to do wrong. He trusted that the noble Earl the Secretary of State for Foreign Affairs would not look upon the Treaty recently published as in any way obligatory or final.

Earl GRANVILLE: My Lords, your Lordships do not seem generally inclined to join in this discussion, which has been raised by the noble Earl opposite (Earl De La Warr) on a very important subject, in which, as we all know, he takes a very great interest. Many years ago, I asked a very experienced Foreign Secretary whether he did not feel it a difficulty in his position that it frequently happened that he could not state publicly the best reasons for things that he did or things that he did not do. His answer was, that that was a very great difficulty; but that there was compensation in the greatly superior knowledge which he had to the opposition which attacked him. But I am bound to say, with regard to the noble Earl opposite, that no one can accuse him of a want of information on this subject. I believe the noble Earl will not contradict me when I state that I believe he has been in almost daily correspondence with a gentleman of great energy, great ability, and high character, the counsel of Mr. Levy in the Enfida case, and who, I am informed, is in correspondence with three of the London papers, writes the Reuter telegrams, and is more or less ably represented in both Houses of Parliament. The noble Earl has also had the advantage of all the official documents which have passed between us and France on the subject of Tunis—documents which, as far as I am aware, notwithstanding the doubt which he has thrown upon them, entirely carry out all that at different times, and generally in answer to himself, I have stated to your Lordships. If there were any feeling shown on either side of the House to raise an important discussion on this question, and, still more, if there were any intention of bringing an attack or moving a Vote of Censure on Her Majesty's Government for what they have done, I should be only too happy to enter into the fullest discussion of this matter. But I must say that I very much agree with my noble Friend who has just sat down (Lord Stanley of Alderley), and I doubt exceedingly whether any great public object would be attained by Her Majesty's Government entering into weekly or bi-weekly driblets of discussion with one particular Peer on a matter of great importance involving questions of very great delicacy between two great and friendly Governments. Therefore, until I see a greater indication of the wish of the House generally to have a really important discussion on this subject I am sure the noble Earl will not think it a want of respect to him individually if I do not go fully into the case.

The Marquess of SALISBURY: The noble Earl who introduced this subject (Earl De La Warr) stated his case with great moderation, and evidently spoke under a sense of responsibility in touching upon this question. But although I quite understand the point of view from which he approaches the subject, and that much is to be said in favour of some of the considerations advanced by him, I am compelled to express an opinion strictly in harmony with that of the noble Earl who has just sat down (Earl Granville)—namely, that no great public benefit will be derived from expanding or continuing this discussion. Any person taking part in this discussion must feel that he is speaking under the weight of great responsibility, because all that is said here is addressed not only to your Lordships and to the English public, but to others, and it is a matter of notoriety that this is a question upon which the French Government and the French people feel very strongly. I do not think that my noble Friend behind me gave quite sufficient weight to the grounds which undoubtedly exist, and which have existed for some time, for causing the French Government to look upon Tunis with great interest and to desire to extend their influence in that country. It is not merely that it is a neighbouring country, but it is a neighbouring country inhabited by tribes of a very warlike and fanatical character, who are of the same race and of the same religion as those who are the subjects of the French Government in the neighbouring Colony of Algiers. I think that no one impartially considering such a state of things will wonder at or blame the French Government for desiring that their influence should be extended and strengthened in Tunis. Supposing an analogous case to arise in reference to one of our own Colonies, and that a race of men of a warlike and fanatical tendency of the same religion and race as those of our own subjects lived outside of our Frontier, we should be very jealous of any other influence beside our own being acquired over that population. The French Government, however, have gone a good deal further than insuring or extending their influence in Tunis; but, and especially after what has fallen from the noble Earl opposite (Earl Granville), I am not here to express any opinion upon what they have done. It is always a very doubtful point whether, in a case which does not invite the action of this country to take any more decided steps, remonstrance is in itself a prudent proceeding; and in this case I doubt whether there is any ground in the interest of this country alone for even any intervention or remonstrant action; but whether there is ground for any such action or not, we do not yet know precisely what the proceedings or the intentions of Her Majesty's Government on this subject have been and are. They have not up to this time remonstrated in any formal manner against the action of the French Government. It is, however, perfectly in their discretion to do so. The French Government have undoubtedly taken steps which it is open to us to regard — if we think fit to do so on grounds of policy or of antecedent history—as trenching upon the comity of one friendly nation towards another. But Her Majesty's Government have not thought fit to do so, and I am bound to say that I for one shall not, as far as my knowledge at present goes, challenge that decision. I shall not prolong this discussion. I believe that the French Government and the French nation are actuated by a very friendly sentiment towards this country, and I believe that that friendly connection between us is of the highest importance to this country and to the interest of the world. As far as Tunis is concerned, I see no interest which this country possesses which would justify or should induce us to strain or to place any undue weight upon the friendly relations that exist between the two countries. I do not deny that the French Treaty with the Bey, to which both the noble Lords have alluded, is one which Her Majesty's Government will find it necessary to bear in mind, and which will increase their vigilance for British interests in certain quarters. As far as Tunis is concerned, however, I do not hold that we have any interest there that should cause us to be disturbed or disquieted by what has passed. If it were possible to suppose that the action which the French Government have taken had any further or more distant object, I do not at all forget that there are in other parts of the Mediterranean British interests of the very gravest character, and any Government who thinks that those interests are in any way compromised by the action of the French Government would be justified in taking up an attitude of great vigilance. But the French Government have given the noble Earl opposite assurances which have been laid upon the Table of the House, and which the noble Earl has very wisely treated as amounting to International engagements. Those assurances, which we have no ground for believing to be other than sincere—and, indeed, it would be unseemly for us to doubt their sincerity—we are justified in accepting as being sufficient to remove any disquieting impressions; and, therefore, no case has arisen to make it incumbent on any independent Member of your Lordships' House to call attention to the subject.

## IRISH JURY LAWS.

### MOTION FOR A SELECT COMMITTEE.

The order made on Monday last for the appointment of a Select Committee *discharged*.

*Moved*, "That a Select Committee be appointed to inquire into the operation of the Irish Jury Laws."—(*The Marquess of Lansdowne.*)

Motion *agreed to*.

And, on May 30, the Lords following were named of the Committee:

Ld. President.
Ld. Privy Seal.
D. Marlborough.
M. Lansdowne.
E. Derby.
V. Hutchinson.
L. Tyrone.
L. Inchiquin.
L. Silchester.
L. Monck.
L. Penzance.
L. Emly.
L. Ardilaun.

The Committee to appoint their own Chairman.

House adjourned at a quarter past Seven o'clock, to Monday next, Eleven o'clock.

# HOUSE OF COMMONS,

*Friday, 27th May,* 1881.

MINUTES.]—SUPPLY—*considered in Committee*—ARMY ESTIMATES.

PRIVATE BILL (*by Order*)—*Considered as amended*—North British Railway (New Tay Viaduct)*.

PUBLIC BILLS—*Ordered—First Reading*—Lord Lieutenants of Counties (Ireland) * [180].

*Committee*—Local Government Provisional Orders (Acton, &c.)* [159], *discharged;* Land Law (Ireland) [135]—[*Second Night*]—R.P.

*Report* — Land Drainage Provisional Orders * [153]; Local Government (Ireland) Provisional Orders (Bandon, &c.)* [163]; Local Government Provisional Orders (Halifax, &c.) * [159].

*Considered as amended* — Customs and Inland Revenue * [136].

*Third Reading* — Water Provisional Orders * [146]; Bankruptcy and Cessio (Scotland) * [174]; Newspapers * [154], and *passed.*

The House met at Two of the clock.

## *QUESTIONS.*

## TREATY OF BERLIN—BULGARIA.

MR. LABOUCHERE asked the Under Secretary of State for Foreign Affairs, Whether any action has been taken on the part of Her Majesty's Government to call the attention of Prince Alexander of Bulgaria, who became the constitutional Prince of that Country, in accordance with the stipulations of the Treaty of Berlin, to the sacred character of the oath by which he bound himself to maintain the constitution of Bulgaria, and to the possibly serious consequences of his violation of that oath; and, whether Her Majesty's Government have received any confirmation from Her Majesty's representative in Bulgaria of the assertion of Prince Alexander, in his manifesto which accompanied his revolutionary attack upon the Representative Bulgarian Assembly, that the Country was in a state of such disorder that a coup d'état was necessary?

SIR GEORGE CAMPBELL said, that, before the hon. Baronet answered that Question, he wished to ask, whether it was true that since the declaration of the Prince of Bulgaria, he had received a new Russian Minister, with whom he proposed to proceed into the interior?

SIR CHARLES W. DILKE: Sir, no such action has been taken by Her Majesty's Government, and it is understood that the intention of the Prince of Bulgaria is to offer his abdication to the Great National Assembly, stating at the same time the conditions on which he would consent to remain, and which he considers indispensable to enable him to carry on the Government. Her Majesty's Government are in communication with Her Majesty's Agent at Sofia on the subject of presenting Papers to Parliament, which will explain the reasons which have induced the Prince of Bulgaria to take this step. Perhaps the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell) will give Notice of his Question.

## ARMY — SICK LEAVE — CAPTAIN BUTLER.

MR. M'COAN asked the Secretary of State for War, Whether it is a fact that Captain Butler, 9th Regiment, has been granted eighteen months' sick leave from India, his illness having been contracted in and by the Service while surveying on the Perso-Turkoman Frontier, as shown by proceedings of a medical board dated 4th July 1879, Murree, India; whether it is a fact that, at the conclusion of his eighteen months' sick leave, he reported himself fit for duty, and a medical board passed him as such, but that while waiting for his orders a severe recurrence of his illness seized him, upon which he sought the independent medical advice of Dr. Russell-Reynolds, and that Captain Butler forwarded his doctor's certificate corroborating the above illness, and stating that it was quite unsafe for this officer to proceed at this season to India, but that in a few months he would be quite recovered; and, if so, on what grounds he is now refused sick leave, the last board held on him having sat before his relapse above mentioned; whether there is any provision in the Queen's Regulations, or elsewhere, drawing a hard and fast line as to the limit of sick leave to be granted to officers who have lost their health in and by the Service; whether he will lay upon the Table of the House a Return of the names of such officers as have received sick leave within the last five years, showing the total terms of such leave granted to each; and, whether the sickness for which they have been granted has been contracted in and by the Service, or otherwise?

MR. CHILDERS: Sir, it is the case that Captain Butler was granted 12 months' sick leave from India, which leave was further extended for six months; but he was informed that if, at the expiration of that period, he was still unfit for service, he would be called upon to resign. However, he reported himself fit, and was so found by a medical board, and was accordingly ordered to embark for India. On the day before he should have embarked he sent in a certificate from a civil doctor stating that he was unfit to return to India, and he asked for four months' more leave. Upon this, he was called upon to retire. There is another reason, not medical, that makes Captain Butler unwilling to return to India—that is, as he himself officially states, a belief that he will be arrested for debt as soon as he arrives in Bombay. There is no provision in the Queen's Regulations as to the limit of sick leave, each case being considered on its merits. I do not propose to lay on the Table such a Return as the hon. Gentleman suggests. I do not believe that it is the wish of the House to interfere in questions of this kind, which are essentially for the Commander-in-Chief, under the responsibility of and subject to an appeal to the Secretary of State.

## UNCONSTITUTIONAL EXPENDITURE—WESTERN AUSTRALIA.

SIR WALTER B. BARTTELOT asked the Under Secretary of State for the Colonies, Whether remonstrances have been lately received at the Colonial Office from Western Australia, as to the way in which expenditure has been incurred in that Colony, without previous legislative sanction; and, whether the subject is under the consideration of the Secretary of State?

MR. GRANT DUFF: Sir, it might be enough to say that the hon. and gallant Baronet's information is quite correct; but as he has asked me, for good reasons, to give a somewhat full answer to his Question, I must state a few particulars. The Legislative Council of Western Australia, in September of last year, presented an Address to the Governor in connection with a

> "Bill to regulate the receipt, custody, and issue of the public moneys, and to provide for the audit of the public accounts,"

in which Address the Council represented that the control of the Legislature over the public purse has been merely nominal, and not real, as the present constitution of the Colony contemplates. They further stated that during the past 10 years some £160,000 has, in fact, been expended over and above the sums submitted to vote in the annual Estimates. The Governor pointed out, in reply, that this irregularity has been, to a great extent, due to the practice of framing the Estimates on an insufficient scale, leaving it to the Governor to issue on his own authority Supplementary Warrants, which had to be legalized by subsequent legislation; and he quoted the Report of a Select Committee on over-expenditure for 1878, which stated "that due regard to economy was, as a whole, observed by this Government." The Secretary of State is now considering this matter, and proposes to issue such instructions as may remove, as far as practicable, the irregularity of spending money without the previously obtained authority of the Legislature. Her Majesty's Government are confident that they will have the full co-operation of the Governor in securing the legitimate control of the Legislature over the Public Expenditure.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—POLITICAL PRISONERS (MR. HODNETT)

MR. T. P. O'CONNOR (for Mr. HEALY) asked Mr. Attorney General for Ireland, Whether it is true that on yesterday, Ascension Thursday, being a Catholic holiday, Mr. Hodnett, a political prisoner in Limerick Gaol, was deprived of the privilege of associating with other prisoners as a punishment for hurrying from his cell into chapel, a distance of 20 yards?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, on receiving private Notice of this Question yesterday, I at once made inquiry of the prison authorities by telegraph; but I have not yet received an answer.

MR. T. P. O'CONNOR: Has the right hon. and learned Gentleman heard today?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): No, Sir.

## SOUTH AFRICA—THE TRANSVAAL—PRESENT STATE OF AFFAIRS.

SIR MICHAEL HICKS-BEACH: I beg to ask the Under Secretary of State for the Colonies a Question of which I have given him private Notice. It is, Whether by any statement made in this House, or by any Papers that can be laid on the Table of the House, the right hon. Gentleman can give any information with respect to the state of affairs in the Transvaal, and as to what may have occurred there during the past few weeks. Perhaps in explanation I may say that we are absolutely without any information on the subject, and pending the arrival of the time when, in the opinion of the Government, it may be possible to raise a discussion on the Transvaal Question, we can only attempt to obtain information by isolated Questions, which is a very unsatisfactory method. The points to which I wish to direct attention are these. As to the case of Potchefstroom—have the guns and rifles been restored; if not, when will they be restored? When will Potchefstroom be re-occupied by British troops? What are the present relations, and what have been the relations during the last few weeks, between the Boers and the English or other loyal subjects of Her Majesty in the Transvaal, and particularly what are the relations now existing between the Boers and the large Native population? I do not doubt that Her Majesty's Government, through Sir Evelyn Wood, are in communication with the officials in the Transvaal who acted on behalf of this country, and, therefore, are able to obtain information on all those points. We have seen this morning most alarming telegrams in the Press on the subject. From my own experience such telegrams are often inaccurate. But it is obvious that if they are inaccurate, full and accurate information ought to be given as soon as possible.

MR. GRANT DUFF: Sir, I will try to give as full an answer as possible to the Question of the right hon. Gentleman. Some time ago the Boer leaders apologized fully for the breach of faith committed by their subordinate officer at Potchefstroom, agreeing also to the cancelling of the capitulation and the restoration of all the articles taken over as per inventory. They further entirely acquiesced in our demand to send back the garrison, or a military force equivalent to it. Our contention was thus fully admitted, but certain measures had, as mentioned by the Prime Minister, to be adopted with regard to it, and finally we left the precise time and manner of the sending back of the garrison, or its equivalent, to Sir Evelyn Wood, and we do not know precisely in what stage the process of its replacement is at this moment. With regard to the guns, Sir Evelyn Wood telegraphed on the 21st that they were promised about the 26th. Turning now to the right hon. Gentleman's two other Questions, communications in the Transvaal, slow and imperfect at the best of times, are now, of course, slower and more imperfect than ever, and, as the right hon. Gentleman and the House know, the telegraph between Pretoria and the frontier has been interrupted. But if these stories which appear in some of the papers about fighting between Boers and Natives, and serious quarrels between Boers and loyalists were not grossly exaggerated, Sir Hercules Robinson and Sir Evelyn Wood, who are much nearer the Transvaal than the place from which many of these reports come, would necessarily know all about them; and the right hon. Gentleman, I am sure, knows Sir Hercules Robinson too well to doubt that so experienced an official, now, I think, in his tenth governorship, would take care to keep the Secretary of State thoroughly informed of what it would be so material for him to know, even if our repeated questions, suggested by inquiries in Parliament, had not specially directed his attention to these subjects. I have told the House from time to time what Sir Hercules Robinson has replied to us. Thus, on the 19th, I mentioned that Major Buller had been sent with Mr. Joubert to part a Native tribe and some Boers in the Keate Award territory, while on the 23rd I mentioned that Major Buller had reported from Potchefstroom that the rumours as to the Boer Commando against Montsoia were much exaggerated, and that no forward movement had been made. We shall hope before long to be in a position to lay some further Papers on the Table, chiefly, of course, telegraphic; and, meantime, if the right hon. Gentleman will communicate with me as to any further points connected with these rumours on which he would like to be informed, we will telegraph to Sir Hercules Robinson. But knowing, as we all do, on what slender foundation great fabrics of rumour are built, I am sure the right hon. Gentleman would not think it right for us to be always telegraphing to ask Sir Hercules Robinson if this or that sensational story is or is not true. Of course, if the right hon. Gentleman, who has been Secretary of State for the Colonies, suggests a doubt, or a question, the matter at once becomes important, and he may rely upon our doing all we can to obtain for him the fullest information possible.

SIR MICHAEL HICKS-BEACH: Sir, I am sorry to say I cannot accept the answer of the right hon. Gentleman as being by any means satisfactory, and, with the indulgence of the House, I will specify two points in regard to which information is particularly desirable. In this morning's papers there is a long telegram from Natal, in which it is stated that a certain force, the exact companies and regiments of which are defined, is to march for Potchefstroom on a certain day. Has the right hon. Gentleman any information on that subject? The second point is this—There is a most alarming statement in this morning's telegram that all the Natives, whether in the Boer Service or the English Service, have been summoned by their Chiefs to be at their war kraals at a certain date. Is that true, or is it not true? The right hon. Gentleman has asked me for suggestions. What I would venture to suggest is that he should at once telegraph to Sir Hercules Robinson or Sir Evelyn Wood, and ask them to require at once from all the British officials in the different parts of the Transvaal full Reports as to the present state of affairs.

MR. ASHMEAD-BARTLETT: Sir, I also wish to ask whether it is true that the Native loyal Chief Montesui, whose only offence was that he protected loyal subjects against the Boers, had been attacked and defeated, with a loss of 90 men, by the Dutch Commander Kronge, the man who had been guilty of a great breach of faith against ourselves?

MR. GRANT DUFF: The Colonial Office has received no information on any one of these subjects. I need hardly say that I shall at once communicate with Sir Hercules Robinson on the points referred to by the right hon. Gentleman.

MR. GORST: I beg to ask whether any steps are being taken by Her Majesty's Government for the protection of the Natives who are British subjects? I should like to have an answer, if it can be given without detriment to the Public Service.

MR. GRANT DUFF: Sir, the protection of the Natives and the protection of the British and other loyalist settlers in the Transvaal are matters to which the attention of Sir Hercules Robinson and the other Commissioners has been pointedly drawn. I have no doubt that Sir Hercules Robinson and the other Commissioners are doing their duty.

MR. GORST: Have Sir Hercules Robinson and the other members of the Commission power to take active military measures, if such should become necessary, for the protection of the unhappy Natives?

MR. GRANT DUFF: As I have already intimated, Her Majesty's Government is at this moment responsible for the maintenance of peace in the Transvaal, and will enforce its authority to the best of its ability.

## EAST COAST OF AFRICA—SUBSIDIZED MAIL CONTRACTS.

MR. WHALLEY asked the Secretary to the Treasury, Whether it be true that the Government have determined to withdraw the annual subsidy of £10,000 from the British India Steamship Company which has hitherto been granted to that Company to enable them to run a monthly steamer between Aden and Zanzibar, and having in view the fact that owing to the stoppage of the subsidy to the Union Company they have already ceased running between Natal and Zanzibar, they are aware that the whole of the East Coast of Africa between Aden and Natal will be without mail communication, and that utter ruin will be inflicted upon the rapidly growing trade between this Country and the East Coast, and the exploration, civilising, and opening up of the regions of Central Africa will receive a decided check by the withdrawal of these subsidies?

LORD FREDERICK CAVENDISH: Sir, the existing contract with the British India Steamship Company does not expire until the end of 1882, and if it be then renewed—which is not probable—it will be for political reasons only, as the present contract entails a heavy loss upon the Exchequer. I must observe that the Union Steamship Company now run a monthly line of steamers between the Cape, Natal, and Delagoa Bay. From the latter point vessels belonging to the British India Company run at regular intervals to Zanzibar, and thence to Aden. There is, therefore, at present regular steam communication along the whole East Coast of Africa, and this would probably continue even after the withdrawal of the Aden and Zanzibar subsidy. I must also remind my hon. Friend that the new line of telegraph from Aden to Natal, which touches at Zanzibar, Mozambique, and Delagoa Bay, and to which a large subsidy is paid by this country, has provided great additional facilities for trade and exploration.

### IRISH EXECUTIVE.

Mr. RYLANDS asked the hon. Member for Longford (Mr. Justin M'Carthy), When he proposed to seek the opportunity of continuing the debate on his Resolution censuring the conduct of the Irish Executive for the arrest of certain "suspects" under the Coercion Acts?

Mr. JUSTIN M'CARTHY, in reply, said, he thought that his hon. Friend the Member for Burnley would have done better to address his Question to the Prime Minister. So far as he and his Friends were concerned, they were most anxious to have the debate brought to a conclusion. The question had not been thoroughly discussed. Neither the hon. Member for the City of Cork (Mr. Parnell), nor any Member of the Executive of the Land League had spoken. It was his intention to lose no opportunity to bring on the discussion, and the Motion would not be removed from the Notice Paper until it had been fairly discussed.

Mr. GLADSTONE said, there was considerable difference of opinion between the hon. Member and the Government, and he thought between him and the House, as to the proceedings which had taken place on that Motion. Of course, the hon. Member held to his opinion, and he himself held to his own. But there had been three separate and several occasions when the question might have been brought forward. The hon. Member knew he could not ask the House to put aside the Land Bill, and he did not suppose it would do so. However, he thought the best course would be this—On Monday night the Government would be quite content to adjourn the debate on the Land Bill not later than 12 o'clock. There was no other Business before or after the Land Bill, except the third reading of the Customs and Inland Revenue Bill. He was not aware that that would take long. He would suggest that the discussion might then be resumed, and he would take care that no Government Business should interpose.

Mr. T. P. O'CONNOR denied that there were three nights when the question might have been brought on. There had only been one discussion with reference to the Motion of his hon. Friend. On a previous occasion the right hon. Gentleman and his subordinates took refuge in obstinate silence. There had only been one discussion, in which one speech had been delivered on one side and one on the other. The offer of the Prime Minister was not satisfactory. It was not easy to continue a discussion after midnight. They must ask that the discussion should begin not later than 10 o'clock. If the Chief Secretary was really sincere in his desire to have the question discussed, he would accede to his request.

### PARLIAMENT—PUBLIC BUSINESS—THE DERBY DAY.

Sir GEORGE CAMPBELL asked Mr. Speaker, Whether it was really inevitable that most important Public Business was to be postponed next Tuesday to make way for a debate over the adjournment for the Derby Day, and whether some arrangement could not be made to avoid such a waste of time?

Mr. SPEAKER: I have no further information to offer to the hon. Gentleman than the House is already in possession of.

### PARLIAMENT—PUBLIC BUSINESS.

Mr. HEALY asked the Chancellor of the Exchequer, If he proposed to persevere with his Motion for asking a Vote on Account, and, if so, on what class of Estimates he proposed placing it?

Mr. GLADSTONE said, the Government intended to take a Vote on Account for all classes of the Estimates. If they were in a position to go into Committee of Supply they could take the Vote for special classes; but as they were not they had to adopt the other course.

Sir **STAFFORD NORTHCOTE** desired to learn from the Financial Secretary to the Treasury for what period of time it was proposed to take the Vote on Account, and whether he would propose it late on Monday evening?

Lord **FREDERICK CAVENDISH** said, that the Vote would be taken for six weeks, and it was absolutely necessary that it should be taken before Whitsuntide. He was afraid there was not much prospect of the Vote being taken at an early hour.

Mr. **HEALY**: Before what hour?

Mr. **GLADSTONE** said, they should endeavour to report Progress not later than 12 o'clock.

Mr. **J. COWEN** said, he hoped the Prime Minister would reconsider the proposal of the hon. Member for Longford (Mr. Justin M'Carthy), and take the discussion at 10 o'clock. He thought it would be better for the objects of the Government if he would do so. He did not expect an immediate answer to the suggestion, but hoped it would be considered.

Mr. **MACARTNEY** thought that, considering the enormous number of Amendments on the Land Bill, it would be unfortunate if an adjournment took place early on every evening.

Lord **RANDOLPH CHURCHILL** said, he would oppose any adjournment of the debate on the Land Bill unless it was to bring on one of the important English subjects which had been mentioned in the Queen's Speech.

## *ORDERS OF THE DAY.*

## CUSTOMS AND INLAND REVENUE BILL.—[Bill 136.]

(*Mr. Playfair, Mr. Chancellor of the Exchequer, Lord Frederick Cavendish.*)

CONSIDERATION.

Bill, as amended, *considered.*

Sir **H. DRUMMOND WOLFF** said, that he had been prevented from bringing on his Motion with respect to the heavy duty on tobacco. He should not bring it on this year; but he hoped the Chancellor of the Exchequer would consider the high duties on tobacco, and make some modification.

Sir **STAFFORD NORTHCOTE** said, he wished to put a question to the Chancellor of the Exchequer on a point as to which there had been some little misunderstanding. His right hon. Friend had stated in his Budget speech that, as regarded Probate Duty, the question of settled property was a difficult one; that it was unreasonable that heavy Probate Duty should be levied on unsettled property, while a duty of 5*s.* only was levied on settled property; but that he had looked carefully into the question and found that it was so mixed up with the question of real estate that it was impossible to deal with it except as a separate matter. But there was a clause in the Bill which had caused some anxiety. That was the 39th clause, which, among other things, made property subject to a voluntary settlement liable to Probate Duty. He wished to know if the effect of those words was to make settled property subject to the duty; or, as he rather supposed, was weight to be given to the word "voluntary," so that marriage settlements should not be included? It was desirable to have the point cleared up.

Mr. **GLADSTONE** said, he thought the question entirely beyond doubt. The construction suggested by his right hon. Friend was perfectly correct. Voluntary settlement was dealt with because that sort of settlement, with a reserve power to the settler to revoke it and resume possession, was, as the Treasury conceived, a complete evasion. He hoped that his Amendment in Clause 9, which, in place of testing by Sykes's hydrometer, provided that—

> "A sample of such spirit may be distilled or treated by such other process as the Commissioners of Customs shall direct, so that the true strength of the spirit may be ascertained by the said hydrometer,"

would be accepted. It did not correspond in terms with the engagement he gave to the House, though he would hold to the engagement if it were insisted on. He wished the House to understand that they were carrying out the spirit of the engagement. The testing with a view to the duty would still remain to be carried on by the criterion of the instrument known as Sykes's hydrometer, as it had always been, and the only new power given to the Department was to enable them to direct means for clearing the commodity which was to be valued, and bringing it into a proper state for distillation. He was bound to say that he thought the clause stood better as it did now, because this duty of arranging means for bringing spirit into a state for distillation was an executive and administrative duty strictly belonging to the Department.

Amendment proposed,

In Clause 9, page 4, line 19, leave out all after "hydrometer," to end of Clause, and insert "a sample of such spirit may be distilled or treated by such other process as the Commissioners of Customs shall direct, so that the true strength of the spirit may be ascertained by the said hydrometer."—(*Mr. Gladstone.*)

SIR JOSEPH M'KENNA considered the Amendment not only suitable, but needful. The hydrometer was, no doubt, a highly efficient instrument, but not universally operative. For instance, if applied to liquors, the specific gravity of which was affected by the presence of sugar, the hydrometer would not show their true alcoholic strength; and an Amendment such as that now proposed was requisite to permit another testing process to be adopted in such cases—for example, distillation, which it was the practice to apply at present for testing the strength of wines.

MR. WARTON considered the objectionable feature in the clause to be the words "or otherwise;" and he, therefore, suggested to the Prime Minister that they should be omitted.

LORD FREDERICK CAVENDISH was quite willing to accept the suggestion; but he proposed that the words "direct will be sanctioned" should be inserted.

CAPTAIN AYLMER said, that he had suggested the Amendment in the first instance, and was glad that the right hon. Gentleman had adopted it. He would, however, move to insert, after the word "process," "as should have been previously approved by the Treasury, and notified to the trade."

MR. GLADSTONE said, he thought he could persuade the hon. and gallant Member that this Amendment was a most unwise one from his point of view. If they were to specify in the case of a particular measure that the regulations would be made known to the trade, others would have to be made known.

MR. WARTON contended that all the evil lay in the words "or otherwise," and would again suggest that they should be left out.

MR. CHILDERS pointed out that the strength of the spirit would be decided by the hydrometer; but it might be necessary, at the same time, to remove certain impurities before it could be so tested. The real test, however, about which the trade was anxious, was preserved in its entirety.

Amendment *agreed to.*

MR. WARTON begged to draw attention, in Clause 39, line 23, to the words "donation *mortis causâ.*" It was his opinion that they should speak either English or Latin; and, therefore, he proposed that the word "*donatio*" should be substituted for the word "donation." The First Lord of the Treasury was so good a scholar that the alteration must recommend itself to the right hon. Gentleman.

MR. GLADSTONE said, that he was grateful to the hon. and learned Member for the suggestion which he had made.

Bill to be read the third time upon *Monday* next.

## LAND LAW (IRELAND) BILL.—[BILL 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [SECOND NIGHT.]

[*Progress 26th May.*]

Bill *considered* in Committee.

(In the Committee.)

### PART I.

### ORDINARY CONDITIONS OF TENANCIES.

Clause 1 (Sale of tenancies).

LORD EDMOND FITZMAURICE said, he rose to move the Amendment which stood first on the Paper—namely, the postponement of the 1st clause until after the consideration of Clauses 31 to 43, which dealt with the Court and Land Commission. In moving this Amendment, he desired to take the first opportunity of assuring Her Majesty's Government that he did not do so in any dilatory spirit. He felt that, for every reason, it was the duty of those who sat on that (the Ministerial) side of the

House to do everything they could to contribute towards the early discussion and settlement of what they must all feel was a most arduous and a most difficult question; and he also felt, and felt most deeply, that the right hon. Gentleman at the head of Her Majesty's Government had, for many reasons which he need not mention, because they were perfectly well known, a claim upon the attention and patience of the House which everybody, at any rate on that side and, he believed also, on the other side, of the House, would be very unwilling to deny. Probably no more difficult task had ever been undertaken by any Government; and he, for one, would do nothing that could retard Progress. He should be able to show to the Committee that if Her Majesty's Government would adopt the Amendment he was moving, they would be in a far more favourable position for getting the clauses through than would otherwise be the case. The right hon. Gentleman the Prime Minister had said—and had said with great truth, as it had appeared to him (Lord Edmond Fitzmaurice)—that the Court and Land Commission were the core of the measure. To quote from a recently-published volume of *Hansard*, the words the Prime Minister used were these—

> "Now, Sir, I come to the great question which I think must constitute the salient point and the cardinal principle of the Bill, the institution of a Court which is to take cognizance of rent, and which, in taking cognizance of rent, will also, according to the provisions of the Bill, not be debarred from taking cognizance of tenure and assignment."—[3 *Hansard*, cclx. 904.]

He thought that elsewhere in his speech the right hon. Gentleman spoke of the Court as the "core" of the Bill. He said—

> "We have accordingly made the entrance into Court an essential part of the Bill; indeed, it is the very core and centre of the measure we now submit."—[*Ibid.*, 923.]

He had observed, and he thought other Members had also observed, that it was now the practice of the draftsman, in drafting important Bills, to place in the forefront of the battle, as it were, the main or principal clause of a Bill, so that what might be said to be the principle of the measure—the "salient point" and "cardinal principle"—and the "core and centre" of the measure—might be discussed and settled as soon as possible. Accepting, as he did, from the Prime Minister that the Court and Land Commission was in reality the "core and centre" of this Bill, it appeared to him that it would have been well if the draftsman, following the modern practice, had placed the Court and the Land Commission first in the Bill. No one could have followed the interesting discussions they had had on the second reading without becoming aware that the Court, both in regard to procedure and the persons who were to constitute it, was a question of very grave doubt and anxiety to many hon. Members, even to those who were amongst the most cordial supporters of the Bill. There was a tolerably general agreement, coupled, no doubt, with a difference as to details, with regard to what might be called the main outlines of the duties which were to be conferred on the Court; but there was no such agreement as to what the Court was to be, and he could not help feeling that the discussion of the first 30 clauses of the Bill would be very much coloured in Committee, as it had been on the second reading, by the idea which hon. Members might have formed to themselves of what the Land Court was to be. There were many proposals which hon. Members would be willing to accept, if the Land Court were to be constituted in a certain manner, which they would not accept for a moment if it were differently constituted. For example, they had all heard the speech of the hon. Gentleman the Member for Leitrim. (Mr. Tottenham). He had a great and holy horror of the lawyer, and seemed to be exceedingly anxious, as far as possible, to withdraw questions under the Bill from the cognizance of the lawyers, and to trust them rather to agricultural experts. Then there was the speech of the hon. and learned Gentleman the Member for the County of Antrim (Mr. Macnaghten), in which he disclosed a plan of his own for the appointment of certain roving Commissioners in each of the four great Provinces of Ireland. There was, also, an important Amendment standing in the name of the hon. Member for the County of Kerry (Mr. Blennerhassett), and another in the name of the hon. Member for Great Grimsby (Mr. Heneage). All these were Amendments to be moved by Gentlemen possessing either considerable knowledge of Ireland or a very great knowledge of agricultural questions, and sometimes of both. He had every reason to believe that other Amendments had been, or were about to be, placed on the Paper in regard to such questions, so that it was perfectly clear that if they entered on the discussion of the first 18 clauses of the Bill without settling what the Land Court on which they were to confer all these delicate, difficult, and arduous duties was to be, they would be more or less legislating in the dark. He had, on the other hand, been told that it was absurd to constitute a Court before they had ascertained what the duties of that Court were to be; but his reply to that was a very simple one. It was, as he had said just now, that there was, on the whole, a tolerable general agreement as to the main duties and outline of what the work of the Court was to be; therefore, if they discussed the constitution of the Court first, they would not be discussing the question of the duties of the Court in the dark in the same manner that they would be discussing the constitution of the Court in the dark if they took first the question of what the duties of the Commissioners were to be. These seemed to him to be tolerably satisfactory reasons for the Amendment which he had placed on the Paper. He might just add, in case any objection was taken on what might be called technical grounds, that there were an abundance of precedents for the course he had suggested; but he had no wish to detain the Committee by stating them, unless an objection was taken.. If Her Majesty's Government would take the course he proposed, they would materially facilitate the passing of their own Bill, and would take a course which would give very great satisfaction in Ireland, where a great number of persons viewed the question of the constitution of the Court, both in regard to the formation of it and also in regard to the persons who were to compose it, with the greatest anxiety. These persons would view the other clauses of the Bill from a much clearer standpoint if they knew exactly how they were situated in regard to the composition of the Court. If his Motion were agreed to, he should move, as a consequential Motion, the postponement of the subsequent clauses between Clause 1 and the beginning of Part VI., so as to take Part VI. before they approached any other matter.

Motion made, and Question proposed,

"That Clause 1 be postponed till after the Consideration of Clauses 31 to 43 (Part VI. Court and Land Commission.)"—(*Lord Edmond Fitzmaurice.*)

Mr. HEALY said, that, from a very different reason to that stated by the noble Lord, he rose to give a certain amount of qualified support to the proposal. He was totally opposed to the insertion of the 1st clause in the Bill, believing it to be worthless and even mischievous. If it were true that the Duke of Argyll had seceded from the Cabinet on account of this clause, he could only wonder why on earth he had taken the trouble to do so, because, though proposing to confer the right of free sale on the tenant, the clause really did nothing of the kind. It simply proposed to put on that right certain restrictions which did not exist under the present law. Nothing could be clearer in Common Law than that every man who had an interest in selling, whether it were hay, corn, or land, had the right of free sale. As to the interest of the tenant in the land, he would quote from the handbook of the Chairman of County Kilkenny, in which it was stated on pages 101 and 102—

> "It may be stated that every person having a legal interest in land may assign it, and the right to assign it is legally vested in every lessee."

He maintained that every tenant in Ireland had the right of free sale; but why could he not exercise that right? It was not because of the want of the one "F," but of the other two "F's"——

The CHAIRMAN: The Question before the Committee is simply the postponement of Clause 1. Clause 1 cannot be discussed until it is put as part of the Bill.

Mr. HEALY said, that if that was the case he should have to postpone his remarks; but he had been under the impression that he was at liberty to give his reasons for supporting the Motion for the postponement of the clause. His opinion was that the clause should be held over, because it was utterly worthless. He saw the Prime Minister laugh. He was aware of the large amount of time and study and patience the Government had given to the measure—no one who had read the clauses could doubt that they had given an enormous amount of consideration to them. He freely and readily admitted it; but what he said was this—that the tenants of Ireland did not want free sale; but what they required were the other two "F's." The Prime Minister had said that the measure did not give all three "F's," and that was certainly true. The tenants of Ireland could not exercise free sale, because the landlord could prevent an outsider who had purchased a man's improvements from remaining on the land either by raising his rent or turning him out. The outgoing tenant's right to sell was undoubted; the incoming tenant's right to pay the other the money was undoubted; and if the Government wished to settle this matter, they must not restrict the undoubted rights which the parties possessed to buy and sell; but they must give the tenant two things, the absence of which at present enabled the landlord to encroach upon the right of free sale—namely, fixity of tenure and fair rent. It might be said that if the clause was struck out, if a man assigned his property, the incoming tenant could be turned out by the landlord; but such was not the case. If there was anything clear in law it was that there was an abstraction called a "tenancy" created by the letting of land. That abstraction—if the clause were struck out—as soon as the new tenant entered into possession, with or without the landlord's consent—as soon as he stood in the other man's shoes—gave him the right of his predecessor. The landlord could not come in and summarily turn him out. If he wished to remove the person, he would have to get an ejectment decree, as he would have been obliged to do if he had wished to proceed against the original tenant whilst in occupation. Therefore, he (Mr. Healy) contended that what was wanted was not an encroachment upon a man's present rights, but the conferring upon him of that which he did not possess already—namely, fixity of tenure and fair rent. He should like to put two or three questions to the Prime Minister, and he would do so, of course, subject to the Chairman's ruling.

THE CHAIRMAN: The hon. Member will have an opportunity on Clause 1 of giving a full explanation of his views with regard to the provision. If he dislikes it when it is moved to stand part of the Bill, he can speak against it; but the question now before the Committee is simply whether Clause 1 shall be postponed until after some other clauses have been considered.

MR. HEALY said, in that case he would postpone his remarks for the present.

MR. P. MARTIN considered that the Amendment was a most proper one, and, if adopted, would tend materially to facilitate the progress of the Bill. The noble Lord (Lord Edmond Fitzmaurice) asked the Committee to determine the constitution of the Court and Commission before they should be called on to discuss the powers and extent of the jurisdiction the Committee might be called on to vest in that body. As the noble Lord had very rightly said, the Court and Commissioners was the salient point and cardinal principle of the Bill. If a proper Commission and a proper Court were constituted, he thought, so far as he was acquainted with the matter, that the Irish Members and the Members of this Committee would be very likely to confer, freely and generously, all powers to give effect, practically, to the operations of the Commission. Let the Committee reflect on the nature, character, and jurisdiction of this Commission that the Government at present required them to constitute under the provisions of the Bill. It was a Commission wholly unknown heretofore to our law. It would be superior to every Court in Ireland, possessing powers greater than the Court of Appeal, greater than the Court of Queen's Bench, and possessing a jurisdiction never before exercised. In coming to consider the question whether they should decide this part of the Bill first, it was of the utmost importance that they should have these points clearly in view. The Court would have power to rescind and vary its orders. It would have power, in point of fact, over everything affecting the law of landlord and tenant. It would have the power of distributing millions of money, freed from all restraining or controlling powers. He would not go into the question of decisions as a Court of First Instance, as that would be rather entering into a discussion of the clauses; but he would confine himself solely to the question of the Commission. Seeing that it would have to consider matters touching the every-day life of landlord and tenant in Ireland, that it would be absolutely without control, and that the distribution of many millions of money would be handed over to it, they ought, he contended, to proceed, in the first place—before going further—to settle what was to be the character of the Court they were going to intrust with these powers. He could understand something being said against that course if this was a judicial tribunal governed by known usages and rules; but, unfortunately, as he said, this was a tribunal *sui generis.* Then, he might remind hon. Members who had taken the trouble up to the present to look through the Amendments on the Paper, in many instances their consideration must necessarily be much influenced and discussion prolonged if the Committee remained in doubt as to the character and constitution of the proposed tribunal. Let him take, by way of illustration, the Amendments of the hon. and learned Member for Dundalk (Mr. Charles Russell), which increased the powers of the Court in the 1st clause of the Bill. Well, if they had a satisfactory tribunal—one which the House and the people of Ireland could have confidence in—of course, they could fairly accede to all propositions of this kind. But it was said that the tribunal which was to exercise these enormous powers over so many millions of property was to be movable, at the option of the Government of the day. That was a singular feature in the Bill. The Court of Queen's Bench were to be prevented from exercising jurisdiction over the Commission, and the Land Court was to be constituted solely at the pleasure of Her Majesty, and, consequently, removable by the Government for the time being. Under these circumstances, when they saw what were the final intentions of the Government in respect to this matter of the Land Commission, they would be in a far better position to come to a decision as to the provisions they should insert in the measure than they were now. He would not enter into the question whether a Court of this character should not be a Court of dignity and independence, free from all Governmental influence, for that would be entering into the merits of the clauses; but he did think that the Committee, before entering upon the consideration of the various sections, had a right to know whether the Government would accede to the suggestions which had been thrown out, and would give them a Court free from Governmental influence. [Mr. GLADSTONE: Hear, hear!] He (Mr. Martin) was glad to hear that intimation from the right hon. Gentleman; and, as to that part of the question, he would say nothing further. All he would say was this—there were, as they all knew, all through these clauses, in respect to the Land Court and Commission, references of vital importance, and many of the difficulties in connection with them might be removed by the admission they had had from the Prime Minister. The progress of the measure, he had no doubt, would be much facilitated by what had fallen from the right hon. Gentleman.

MR. GLADSTONE: Sir, I am anxious, without delay, to correct a mistake which there appears to be in the minds of some hon. Members, and to make what I imagine is only a just concession to the House. I am very sorry that this Motion has been made; but I am bound to say that I think it possible I have been myself in some degree the cause of its being made. I would only ask thus much indulgence from the Committee, the admission that there is a limit to the labours of man. I can assure the Committee that I have not economized labour and effort on this Bill; but I am bound to admit—and I do it frankly, and at once—that, having worked hard with my Friends and Colleagues on those which I thought the most vital parts of the Bill, I did not pay as much attention to some of the particulars of the constitution of the Court as I should have done. One consequence of that has been—as I have already intimated—that we have not, as we intended to do, given to the parties the option of passing by the Civil Bill Court and going at once to the Commission; and I may state, also, that it is a clear and manifest error due to a shortcoming of my own, that no provision has been inserted in the Bill to render the Commission irremovable. I state that at once, because I think it may, probably, influence the judgment of the Committee with regard to this clause. In response to the noble Lord's repudiation of any such intention I must at once say that I do not cast the slightest imputation upon him of having brought forward this Motion for dilatory purposes; and I should not have thought it necessary to mention such a subject if he had not thought it right to disclaim it. I think the noble Lord is under a mistake when, in quoting me, he says I described the Court and Land Commission as the "core" of the Bill. What I consider to be the cardinal principle of the measure is the proposal to refer to a public authority the determination of questions of rent and tenant right. That I believe to be the very heart and centre of the Bill; but, as to the particular constitution of the Court, I never used any expression of the kind, and it would be entirely alien from my views to do so. On the subject of the constitution of the Court, I have assumed all along that if we could agree on the technical matters we have to deal with in considering "tenure" and "interest," we should have no difficulty worth naming as to the constitution of the Court, because we all feel that it is in the interest of the framers of the Bill, and in the interest of the landlords, the tenants, and all parties that the Court should be the most efficient we can constitute. That being so, I am sorry to say that I must resist my noble Friend's Amendment, as, in my opinion, it would throw the discussion of the Bill into confusion. There are, and there must be, a great number of provisions of detail in reference to this Court, and for two causes—first of all, the great extent and diversity of its functions in any case; and secondly, on account of the uncertainty as to the form these functions will take. It is doubly uncertain. It will be uncertain to no very small degree when this Bill becomes an Act, and, in order to meet that uncertainty, we must make the provisions elastic; and I fully admit that you can only do that by giving confidence to those who are to administer the Act. We are not desirous of turning the Bill to any account for purposes of patronage; but our position will be to give as great a control and as much power as can properly be given to the Central Commission, which Central Commission will have complete independence. But my argument as to the proposal of my noble Friend is not merely that it is not necessary if these general principles are granted, but it is that we really do not know, and cannot know until we have gone through the enacting provisions of the Bill, what will be the duties to be performed, the number of persons to be appointed, the powers to be exercised by subordinate agents, and the manner in which they are to be brought home, as nearly as we can, to the doors of the people interested in the Bill. Until we have disposed of a number of substantial questions raised in the Amendments, it is impossible for us to judge how we are to arrange the machinery. Now, my noble Friend spoke of precedents, and certainly there is no technical objection to be taken to his Motion. From a technical point of view, it is open to us to proceed in either way; but the particular measure which most bears upon this question—namely, the Land Act of 1870, does not supply anything like a precedent. We went through all the provisions—all the material provisions—relating to the claims of the tenant and the landlord respectively before we proceeded to deal with the Court. It was in the 22nd clause that we proceeded to define what the Court should be. The functions of the Court constituted by the Land Act were less difficult than those which we are going to confer upon the Commission; but the functions conferred upon that Court were quite as novel, when they were conferred, as will be the functions proposed to be conferred on the Commission. My noble Friend thinks that we have got already a very good view, subject to some differences in details, of the details of the duties the Court will have to perform. If my noble Friend can convince me of that it will almost reconcile me to his proposal. According to him, we can go at full gallop through the clauses as to the constitution of the Court; but I, on the contrary, see that there are a number of questions of very great importance to be discussed. I hope we may agree upon them; but they are of very great importance, not only as to the nature, but the amount of the duties which the Court would have to perform. For example, there is a disposition on the part of some persons to lower the privileges of ordinary tenants in Ireland, and Notices of Amendments have been given with that view. That is a point of great importance. If you raise the privileges of ordinary tenants to a somewhat high standard, they will have, comparatively, very little inducement to go into Court, and the amount of litigation will be narrowed in proportion; but if you lower the privileges of ordinary tenants very much—if you say they shall not have a recognized tenant right, or under an increase of rent they shall have no security of tenure following, the consequence will be that the whole of the tenants in Ireland will be driven into the Court. They will go into the Court in order to obtain security. It is, therefore, vital that the judgment of the House should be taken on these questions before we proceed to consider the exact amount and character of the instrument that is to do the work. The Government have carefully considered this matter, and have a very strong conviction on it. They desire, and, as far as they are concerned, their determination is to raise, quite independently of the Court, the question of the privileges of the ordinary tenant in Ireland; and they think that in so doing they are consulting both the interests of the landlord and tenant. But others may differ from us, and the consequence will be that the whole magnitude of the circle may be varied enormously. We may have a Court with an extremely large or a very moderate power of discretion; and I cannot help saying that I hope it will be kept within moderate limits, according to the decision that the Committee may arrive at. I might enlarge upon this very much. There is a disposition on the part of some hon. Gentlemen—quite from another quarter—in approaching the Bill, to forbid all increase of rent except through the action of the Court. The Bill does not subject the increase of rent absolutely to the action of the Court; and I do not say whether we are right or wrong; but it is plain that if the landlord has no means of increasing his rent, except through the action of the Court, that the matter has a bearing upon the operation and constitution of the Court. I might mention other points, but I have said enough to show that the character of the duty the Court will have to perform—how far it can be guided by the Bill, and how far it will depend on its own discretion—will have to be determined. If we look at Part V. of the Bill, there it is still more uncertain what will be the functions of the Court. According to one of the Amendments on the Paper, the purchasing operations of the Court are to be enlarged, so as to enable it to purchase the estate of every landlord who wants to sell. If that is to be done—I will not say that I have not an opinion about it, or that I have not come to a decision upon it in my own mind—it will have an immense bearing on the amount of the Court and the strength of the machinery with which you will have to provide it. The same thing runs through all the provisions of Part V. Some people say—"Let the Commission undertake works of reclamation all over Ireland." That would give a new character to the proceedings of the Commission; but I do not wish to weary the Committee with further argument. There can be no doubt that the duties of the Court must be settled before we can properly determine what shall be its constitution and its strength. Its duties may vary enormously, and we should land ourselves in great confusion if we were to accept the Amendment of my noble Friend.

Sir STAFFORD NORTHCOTE: Sir, I must own that the observations of the Prime Minister do not in any degree remove the feeling which I entertain, and which I believe many entertain, as to the importance of really deciding the question of the constitution of the Court at a much earlier period than the right hon. Gentleman seems to think desirable. He says—"I will not go into the question whether this Court is really the 'core' of the Bill or not; that it is clear the Court is the cardinal principle of the Bill, and that the working of the measure, throughout all the various details which the Committee has to consider, depends upon the constitution and capacity of the Court." Now, undoubtedly, we shall find, as we go through the different clauses of the Bill, that on many occasions reference is made to the Court; and when we are discussing whether these or other provisions ought to be adopted, and when we say "there is a difficulty here," or "we don't understand the language there," we shall always find ourselves cut short at the end of our reasoning with—"Oh, that will be a matter for the Court to settle." My hon. Friend the Member for Antrim (Mr. Macnaghten) put this extremely well, in reference to one of the points to which he called attention in the discussion on the second reading. He said there was great uncertainty as to the mode in which you will consider this; but, after all, we need not trouble ourselves much about it, because the real solution will be found in whatever happens to be the decision as to the constitution of the Court or Commission. Considering the enormous extent and ground over which this Bill travels, and considering that we are going, by this Bill really, as it seems to me, to re-constitute and re-construct the whole agricultural, and, to a great extent, social organization of Ireland, it is of very great importance that we should know from the very beginning to whom really these great functions are to be confided. We have been told a very important thing within the last few minutes. The right hon. Gentleman has assured us that this Committee is not to be of a removable character, and that is a matter of enormous importance. Up to the present moment we had no reason at all to imagine that that point would be conceded. It appeared that the Committee would be removable. We want to have this matter clearly and decidedly pointed out and explained, not merely by Ministerial statement, but in the clauses of the Bill as we proceed, in order that we may know what sort of a measure it is we are working with, and, therefore, what kind of tasks it is possible to throw upon it. It may be said that this is a very curious view, and we may be told—"Get your work first and provide your machinery for doing it afterwards;" but unless we consider the character of the machinery, we can hardly judge whether it can do the various pieces of work that may be imposed upon it without breaking down. Nothing is easier than to say that the Court, which is an abstract creature of the imagination about which we know nothing, is to remain unknown until all its functions have been first settled for it; but then we may find that it is impossible, with any satisfaction, to establish a tribunal that can perform all those various pieces of work. It will then be too late to go back, because you will have passed all the clauses affecting work—you will be unable to get all the work done, and you will have wasted a very large number of nights in order to bring about a settlement which will be absolutely thrown away if you do not agree to a machinery of some sort. The Government will tell us, in this emergency, "this is what we have to propose," and then we shall find ourselves compelled to accept it. I do not wish to go into the details of the Bill, but these things are obvious. We are talking about postponing the 1st clause; and it is clear that there are no less than six or seven places in which reference is made to the Court. The Court has to do work of various kinds, involving questions of valuation, questions of law, questions of fact, and questions of discretion; and when you are discussing these matters, you will decide according to the confidence you have in the Court. No human being can tell whether you are going to have confidence in that Court or not until its composition has been discussed. Then there are all the other functions, to which the Prime Minister has referred, that arise in Part V. of the Bill. It is a difficult thing to constitute a Committee that will be able to exercise all these powers, and be able to exercise them properly. Do let us begin by considering whether these things are possible, and how much you dare throw upon your machinery without almost the certainty of its breaking down under your hands. Considering the difficulties of the case, it appears to me that the noble Lord has made a very reasonable proposal.

DR. LYONS said, he was glad to hear the Prime Minister's statement, and thought the proposal of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice) recalled the old story of Procrustes and his bed; and that to constitute a Court without first providing the work that that Court was to do, was an absurd course of proceeding. If the Court were constituted on a limited scale, it was quite possible that they would have to argue, subsequently, that such and such a provision did not fall within the scope of the Commission as constituted. This would be almost a necessary consequence in regard to many of the great and wide provisions that would come on for consideration. It seemed to him that the most natural course they could take would be to proceed with the main features of the measure, for there was nothing like facing a great and difficult question manfully in the first instance. Let them come to an understanding upon the vital principles of the Bill, and all would be plain sailing after that. The statement of the hon. Member for Wexford (Mr. Healy) had come upon him with great surprise. He had not been aware, and, to speak the truth, he did not know even now, that there was such a thing as free sale largely recognized throughout Ireland—although he had his own opinion as to whether it ought or ought not to be recognized. This touched one of the provisions which, no doubt, would be warmly contested; but until that provision was settled, and until they came to an understanding as to how that principle was to be carried out, it was impossible to conceive how any Court could be so framed as to deal successfully with the matter. He did trust that without further loss of time Her Majesty's Government would press this question to an issue, and that they would go at once into the work of considering the important provisions of the 1st clause.

Lord RANDOLPH CHURCHILL said, he would venture to submit that the argument which the Prime Minister made use of in the first part of his speech greatly strengthened the position taken up by the noble Lord the Member for Calne (Lord Edmond Fitzmaurice). The right hon. Gentleman had said that the "core" of the measure was the reference of the question of rent to a judicial authority. That was the "core" of the Bill—that was the novel feature of the Bill—and the right hon. Gentleman had said that the free sale conferred by the measure did not arise out of any natural right of the tenant. The Prime Minister declared that they could not have a Court to fix a judicial rent that should last for a certain time without conferring on the tenant, who had to pay that rent, some property that he was to sell. That was not an illogical view—that free sale and fixity of tenure was the consequence of a valued rent. Well, it did seem curious, if valued rent was the novel principle of the Bill, that its consideration should precede that of the authority that was to fix the rent. Had the Government considered how great a disadvantage the Committee was under in considering the provisions of the measure as compared with their own position? The Government had a fair idea of what the Court was likely to be, because they knew what they were going to exert all their powers to make it. The rest of the Committee had not the slightest idea as to what it was likely to be; they were completely in the dark, and were, therefore, not in a position to come to a sound judgment on the Amendments that might be proposed as the Government themselves were. There were a great number of Amendments on the Paper which would vitally depend upon the constitution of the Court. Certain hon. Members who followed the lead of the hon. Member for Cork City (Mr. Parnell) had proposals on the Paper, and if the Court was of a certain character, those proposals would, without doubt, be opposed by a great number of Members on that (the Opposition) side of the House, and, certainly, by a great number on the Ministerial side; whilst if the Court was of another character, hon. Member on both sides might be disposed to take a very different view of those Amendments. There was the question of the "three F's." An hon. Gentleman who had taken a deal of interest in this question, and had considered the matter very deeply, had asked him whether the "three F's" were in the Bill; and he had replied—"I do not know; but the Prime Minister says they are not." They could make a Court that would administer the "three F's" in a moderate manner, so that, under the particular circumstances of Ireland, but little objection would be raised; but, on the other hand, they could have a Court the character of which would render the "three F's" very objectionable. This was a matter on which the Prime Minister had had such a conflict with the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson)—the question of whether in fixing a fair rent there was to be a certain deduction. The whole question turned upon the composition of the Court—of its value as a legal authority, and of the view which such an authority would take of the wording of the clause. This was a question which they could not decide until they knew who were to be the Commissioners. Then, there was another point—what was to be the standard of the men they were going to employ, because the salary they mentioned in the Bill was very small? They were told that one of the Commissioners was to be a Judge of the Court of Appeal; but how could they get a man of that character to perform the functions that would be imposed by the Bill for £2,000 a-year? In fact, in considering the whole of this question, they could not shut their eyes to the disadvantage they were under in not knowing the character of the Court that was to administer the new law. There was another great question upon which a deal might turn. As the Court at present stood there was no appeal from it—it was a Court of final jurisdiction. He could quite understand that a very different view to that at present held would be taken of some parts of the Bill if an appeal were allowed either to the Supreme Court or to some other Court in Ireland. This was another instance of how greatly the view taken of this Bill would be influenced and guided by the Committee being put in possession of the views of the Government. No doubt the Government had not adopted this curious course of proceeding without a reason, and he clearly saw that if the nature of the Court had been explained it would be impossible to please both hon. Members with whom he (Lord Randolph Churchill) had the honour of acting and hon. Members from Ireland. The result would have been irreconcilable hostility to the Government proposals. Well, no doubt, this was a drawback which was worth considering; still, he did not think the Committee should be asked to consider the Bill and come to a judgment upon all the important Amendments which would be proposed on it, and to decide on the value of the various arguments submitted, when they were totally, completely, and hopelessly in the dark as to the authority that would administer the Bill. In the case of the University Bill of 1873, which was decided against the Government by a very small majority, although one sufficient to throw out the Bill, the Commissioners who were to constitute the authority were named by the Government. That was a distinct precedent; and he submitted the question of Education was not nearly so important as this of Irish Land. Therefore, the noble Lord had founded his Motion on the best of all possible precedents—namely, the decision of the House against the Prime Minister in 1873. He would not detain the Committee any longer on this matter, except to say that he should certainly support the proposal of his noble Friend.

Mr. SYNAN said, he had been a Member of that House long enough to have precedents of the kind referred to by the noble Lord the Member for Woodstock (Lord Randolph Churchill) in his recollection, when Members on both sides of the House combined for the purpose of defeating Government measures. One of the most important occasions on which this plan was successful was that referred to by the noble Lord, when the Bill for settling the University question in Ireland was defeated. That Bill had been defeated in a manner that ought to furnish a warning at the present time; and he hoped his hon. Friends would not be entrapped on the present occasion by an Amendment which would possibly lead to the same result. If the machinery of the Court was such as would please the opponents of the Bill, they would be, no doubt, very conciliatory, and give it their support; but if a tribunal was defined that would be satisfactory to the Irish Members, they would give every kind of opposition to it, both in that House and in "another place." He asked whether Irish Members ought to place themselves in that dilemma, and, instead of securing the substance of the Bill for the Irish tenants, whether they ought to adopt an Amendment which would have the effect of leading them into a *cul de sac*, and of defeating the Bill altogether? What were the arguments of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice) and the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote)? Why, that the machinery was to be appointed before it was known what work it was to do. For his own part, he had never heard of machinery being framed before it was known to what it was to be applied. Therefore, it was to his mind conclusive, and ought to be so to the mind of all hon. Members, that the business of the tribunal ought to be set down before the tribunal was appointed. Of course, the argument would not be conclusive to those who were not in favour of the Bill, and whose object was to defeat it in every possible way. The right hon. Gentleman the Member for North Devon had asked to whom was this business to be referred. But he (Mr. Synan) contended that it made no difference whether the names of the persons were given now or hereafter;

but that it was most necessary to know the business to be entrusted to them before they were appointed to their duty. Because if the functions of the tribunal were small, inferior men would be equal to discharging them; but if they were very important, superior men would be required. Upon every ground, therefore—upon that advanced by the Opposition themselves, and upon the ground that the nature of the case demanded it —he hoped the House would unanimously reject the Amendment of the noble Lord.

Mr. H. R. BRAND protested against the imputation of the hon. Member for Limerick County (Mr. Synan), that a combination existed between the noble Lord the Mover of the Amendment before the Committee and the right hon. Gentleman opposite for the purpose of defeating the Bill. The speech of the hon. Member greatly differed from that of the Prime Minister, inasmuch as the latter did not for one moment accuse the noble Lord the Member for Calne (Lord Edmond Fitzmaurice) of any desire to impede the Bill. He was certain his noble Friend was actuated by no such desire. For his own part, he supported the Amendment of the noble Lord with the sole intention of hastening the progress of the measure. But the Court and the Commission, which were to fix the amount of rents, were the foundation of the Bill—the solid basis on which the house, so to speak, was to be built. No one would dream of setting up the walls of a house before constructing the foundation upon which they were to rest; neither ought the Committee to be asked to settle and regulate the matters contained in the early clauses of the Bill before they knew whether the Commissioners to be appointed would be able satisfactorily to perform the duties to be imposed upon them. It had been said by the Prime Minister that it was absurd to appoint this Commission before the duties to be cast upon it were defined. But to this he replied that the Bill, as it was, defined this Commission, and stated what its constitution was to be. He found, upon examination, that there were 30 clauses antecedent to the clause which constituted the Commission; and, as the right hon. Gentleman the Member for North Devon had pointed out, there would be many questions addressed to Ministers in the course of the discussions upon earlier portions of the Bill which, for want of the definition of the Commission, they would be unable to answer. The constitution of the Court and of the Commission occupied from the 31st clause to the end of the Bill, and one or other of them was mentioned 59 times between the 1st and the 31st clauses. He had analyzed the duties to be performed by the tribunals. They would have to settle conditions of sale, regulate statutory tenancies, determine rents, administer equities between landlords and tenants, construct leases, create tenancies, make advances to tenants, purchase estates, reclaim land, and, lastly, to conduct emigration. And the Committee were asked to consider all those important questions before they came to the question of the constitution of the Court, and when it was known that the Court would not meet with the approval of the majority of the Irish Members. Further, the evidence of one of the principal witnesses, Professor Baldwin, given before the Bessborough Commission, was that—

> "One of the first duties of the Government would be to take the administration of the Act of 1870 and any future Act out of the hands of the County Court Judges."

With regard to the County Court Judges, he was sorry to hear the Prime Minister say that one of the strongest proofs of their giving satisfaction in Ireland was that there were very few appeals from their decisions. The reason there were few appeals was that the Irish tenants did not like litigation, and as to the power of bringing their landlords into the higher Courts, that was quite beyond their means. He contended that this question was of the greatest importance. It was necessary, in his opinion, to consider, first—whether the Court would be a strong one, commanding respect for itself; and secondly, to determine that there should be no appeal to a higher Court. In conclusion, he pointed out that one of the first duties the Court would have to perform was that of valuing rents. It would have to adjudicate between parties upon questions which had excited a great deal of passion; and his contention was that there should be no suspicion of weakness with regard to any such Court. That certainly could not be said to be the case with the Court proposed to be established by this Bill. Without any disrespect to the County Court Judges, he was bound to say that they could not have been the most successful of men, either in law or politics, or they would never have been County Court Judges in Ireland. As the constitution of the Court was a matter of transcendant importance, and the proper discharge of its functions meant the good government of Ireland for a generation, he begged to support the Amendment of the noble Lord the Member for Calne.

Mr. PLUNKET said, he had felt at first somewhat deterred from giving his support to the proposal of his noble Friend opposite by the sudden attack and warning which had been delivered by the hon. Member for Limerick County (Mr. Synan). In referring to the circumstances which occurred in connection with the University Bill in 1873, the hon. Member spoke with some severity of the combination that resulted in the defeat of the measure. But the Prime Minister, who was listening to him, could hardly have felt that it lay in the mouth of the hon. Member to make a charge of the kind. He thought the Prime Minister might well exclaim, with Prospero in the play—

> "I had forgot that foul conspiracy
> Of the beast Caliban, and his confederates."

He had been looking over the Division List upon the second reading of the University Bill of 1873, and he found the name of the hon. Member for Limerick County in company with that of his right hon. Friend Colonel Taylor and others who voted against the Government on that occasion. With reference to the Amendment of the noble Lord opposite, he thought the proposal, if adopted, would tend very much to increase the facilities for passing the Bill. There had been important changes announced that very day with regard to the composition of the Court in connection with a point that seemed to have received very little attention. He was sure the Committee had received with unanimous satisfaction the statement of the Prime Minister that the Commission was to be irremovable. The right hon. Gentleman also stated that tenants could pass by altogether the County Court, as a Court of First Instance, and go straight to the Commission. Now, he was not going to say one word with regard to the County Court as a Court of First Instance. But, at all events, it was known what the County Court was, while it was certainly not known what the Commission or Sub-Commission was to be. He would not dwell on the importance and functions of the Court and Commission. But the Prime Minister had described them as "the heart and core of the Bill." With regard to fixing the rent, the House was told last night that the first business of the Court would be to ascertain what was the fair rent, and then make a deduction from it.

The ATTORNEY GENERAL for IRELAND (Mr. Law): I said nothing about a deduction from the fair rent. I said the Court would have to ascertain the fair rent.

Mr. PLUNKET asked pardon of the right hon. and learned Gentleman if he had mis-stated his words; but he said the business of the Court was to ascertain what a solvent tenant would pay, and then make a deduction. The words of the right hon. and learned Gentleman were "the tenant's interest must be subtracted from the rent." The absolute discretion of the Court to settle this he held to be the heart and core of the Bill. His hon. Friend, who sat below the Gangway, had said that the Government might be supposed to know what they intended; but he (Mr. Plunket) only knew that whilst many hon. Members had spoken upon and criticized the clause, a great number of them had spoken adversely to it, and no one had spoken in its favour. In giving his support to the Amendment of the noble Lord the Member for Calne, he expressed his fear that unless it was adopted the jealousy of the Committee towards the Bill would be increased.

The SOLICITOR GENERAL (Sir Farrer Herschell) observed, that, no doubt, the question was one of those on which it might plausibly be said—"Tell us exactly what your Court is to be, and then we will say how far we can trust it." On the other hand, it was certainly a more important consideration to determine what was the work which the Court would have to do, and then determine the efficiency of the Court for its performance. No doubt, it might be said, in discussing this clause, there were certain references to the Court, and that hon. Members ought to know what its constitution was to be. But what did hon. Members who supported the Amendment propose? Did they mean to assent to the view that substantially they were agreed as to the provisions of the Bill, and that the Court was to do all the things which had been enumerated? It appeared to him an irrational course of proceeding to discuss the constitution of the Court, and how far it was fitted to do the work, and then, possibly, after three weeks' discussion, to deprive it of the opportunity of doing anything. He suggested that the Committee should proceed at once to the consideration of the provisions of the Bill, and then determine what Court should carry them out. The Government were fully conscious of the enormous importance of providing the best possible tribunal for the purpose of carrying into effect the provisions of the measure, and they hoped, with the aid of the united intelligence of the House in a frank endeavour to arrive at the best result, to fix upon a tribunal that would be reasonably satisfactory to the great body of the people.

Sir WALTER B. BARTTELOT said, the hon. and learned Gentleman the Solicitor General had told the Committee that there were some plausible reasons for postponing this clause; but he had also said there was a more plausible reason for not doing so in the fact that some of the minor provisions of the Bill might not be submitted to the Court. He ventured to say that a more important question with regard to the welfare and interest of the people of Ireland than the adjustment of the relations between landlord and tenant could not possibly be considered. But until it was ascertained and known what was to be the constitution of the Court, the serious questions which would arise in discussing the first portion of the Bill could not be fully and properly dealt with. He had understood the Prime Minister to say that the Court was of primary importance, and that everything turned upon its constitution. [Mr. Gladstone: No.] Then, if the right hon. Gentleman did not say that, he thought he ought to have made some statement of the kind, because the primary consideration was that there should be confidence in the Court which was to adjudicate on the delicate relations between the landlord and tenant. But the right hon. Gentleman stated that he intended to introduce an Amendment into this Bill, by which the tenants might pass by the Court of First Instance. [Mr. Gladstone: I said the parties.] Then, if the right hon. Gentleman said that "the parties" were to be allowed to pass by the Court of First Instance and go to the higher Court, it was ten times more necessary that the Committee should know how that Court was to be constituted; and therefore he asked whether it would not be wise and prudent, under the circumstances, to give the Committee some inkling with regard to a matter in which they were at this present moment in complete ignorance?

Mr. HINDE PALMER said, his own opinion was that the Bill was not the best arranged measure, so far as the clauses were concerned; but it had certainly never occurred to him that such a proposal as the noble Lord's was applicable to their due arrangement. The question appeared to him to lie in a very small compass, and was as to whether they should in the first instance proceed to constitute the Court, before it had been decided what work the Court was to perform. If they were about to lay down a separate Code of Law, they would not begin by constituting a Court for the purpose of administering that law, but would, in the first instance, ascertain the law; and, then, in determining the constitution of the Court, they would be influenced to a great extent by knowing what were the duties which the Court had to discharge. It might be that all the proposed duties could not be satisfactorily discharged by the same Commission. For instance, it might be desirable to have some other Commission to deal with the question of emigration; and a consideration of that point would show the imprudence of attempting to constitute the Court, without first agreeing upon the character of the work to be done by it. The noble Lord the Member for Woodstock (Lord Randolph Churchill) had said if the composition of the Court was made known, and if it was such as would not be likely to be influenced, certain Members below the Gangway might agree to some provisions of the Bill. That amounted to the extraordinary argument that one would be influenced very much in deciding the justice and propriety of a code, by knowing the names and bias of the officers who were to administer it. It was true that he did not quite approve the arrangement of the clauses in the Bill; but the proposal of the noble Lord the Member for Calne was certainly the last alteration he should think of making by way of re-arrangement. He should, therefore, give his vote in opposition to the Amendment before the Committee.

MR. A. J. BALFOUR said, he had only heard one argument advanced by the Government against the Amendment of the noble Lord. It was, that "you cannot determine the constitution of the Court until you have determined what its functions are to be." *Primâ facie* there was some weight in that argument. But it was well known that this Court would have to discharge functions which no Court had ever been called upon to discharge before. However the Bill might be modified in Committee, it would have to settle delicate relations between two classes of the community in a manner that was entirely without precedent. Hon. Members knew this to be the case, because if the Bill were so modified in Committee in a different sense the Government would be obliged to drop it, as being a merely illusory measure. Again, the hon. Member for Limerick County (Mr. Synan) had urged, perhaps, the most extraordinary argument against the Amendment of the noble Lord the Member for Calne that had ever been heard in that House. He urged the Government not to state finally what was to be the composition of the Court, because they would offend by so doing either the Tories or the Members for Ireland, and that the Bill would in consequence be bitterly opposed by one of those Parties. The argument of the hon. Member was nothing else than a direction to the Government to keep the House in the dark, in order that, by playing alternately upon their hopes, both Parties referred to might be induced to pass provisions in the Bill which otherwise they would certainly reject. A more cynical argument he did not remember to have heard. Of course, he and his hon. Friends objected fundamentally to the regulation of relations between the parties concerned by any Court at all. Their objections were not directed now to matters of detail. They held that this Court would have to decide matters which it was beyond their competence to decide; that the Government were imposing duties upon the Court which required omniscience for their fulfilment; and, further, that they wanted to get that omniscience cheap. For those reasons, they felt they ought to know absolutely how that Court was to be constituted on which the proper working of the Bill must finally and entirely depend.

MR. W. FOWLER said, he should detain the Committe but a very short time in giving his reasons for supporting the Government on the present occasion. The noble Lord the Member for Calne referred, in the course of his remarks, to a passage in the speech of the Prime Minister; but, in doing so, appeared not clearly to have understood the meaning of the right hon. Gentleman. The Prime Minister had said—"That the salient point of the Bill was the institution of a Court to take cognizance of rent;" and by that he (Mr. Fowler) understood him to mean that the reference of the rent to the Court, and not the formation of the Court, was the main principle of the Bill. They all agreed that the formation of the Court was a matter of great importance; but in comparing the two questions—the formation of a Court, and the making of a new code as between landlords and tenants—he regarded the making of the code as the more important of the two. For that reason, he thought it should be taken in hand before the Committee became wearied with discussion upon other parts of the measure. The amount fixed for the salaries of the Commissioners—namely, £2,000—was a matter that required further time for consideration, and should not be dealt with at first. The Committee had to consider what were the views of those responsible for this Bill; and it would, in his opinion, be adopting a strong course to take out of their hands the mode of procedure. For these reasons, he should give his vote in favour of the Government.

SIR HERVEY BRUCE said, he should certainly support the Amendment of the noble Lord opposite. He believed that in so doing he should be facilitating the progress of the Bill through Committee, because he was certain hon. Members on that side of the House would be much more inclined to listen to the arguments of Her

Majesty's Government when they had confidence in the Court to which the questions between the landlords and tenants were to be referred. As the matter stood, it appeared that the landlords in Ireland were in every county to be at the mercy of the County Court Judges, many of whom, as was well known, held different opinions upon the questions that would be referred to them. At present the landlords might be at the mercy of one Assistant Commissioner. For his own part, he should listen to the discussion of the earlier clauses of the Bill with much more satisfaction when he knew at whose mercy he was to be. He had been quite unable to understand the arguments of the Attorney General for Ireland, who had differed from every other hon. Gentleman with regard to the meaning of words in the Bill.

Mr. MITCHELL HENRY maintained that the Bill gave all the information as to the constitution of the Court which, in the present stage of the matter, hon. Members could reasonably expect. It set forth that the Court was to be composed of a small number of persons, and its characteristics were well defined in the statement that the legal member of the Court was to be a Judge—one who either was or had been a Judge of a Superior Court—thereby showing that the Court was to have the highest legal talent that could be obtained for it. The two other members nominated would be analogous to the Church Commissioners, who had administered already functions of the same character as those to be discharged under this Bill. Everyone admitted that the object of the Bill was to create a number of tenant proprietors, and that had been the kind of duty performed by the Church Commissioners to whom he had referred, and which would devolve upon the Commissioners appointed under this Bill. The Commissioners would have to settle difficult questions, undoubtedly, with regard to rents, and with regard to the value of the tenants' holdings. But as to the settlement of rents being such an unheard of and delicate operation as it was now said to be—why, it was a matter that had been in the hands of the County Court Judges in Ireland ever since the Act of 1870. Everyone familiar with that Act knew that the County Court Judges had to take into consideration, when giving judgment, the fairness of the rent as between the landlord and tenant. It was perfectly true that this duty was not performed as actively as it might have been. Had it been so, it was probable that affairs in Ireland would not have been in their present dreadful position. He could well believe that, if every detail with regard to the Court to be established had been given in the Bill, it would have been said—"The Government have a cut-and-dried scheme for patronage, which the passing of this Act will give them an opportunity of carrying through the House of Commons." The Government, however, had simply indicated the character of the Court; and in so doing they had, in his opinion, acted for the best. The Prime Minister had never stated that he was unwilling to enlarge the Court if it were found desirable to do so. Neither had he expressed any opinion as to the amount of the salaries to be paid to the Commissioners. Therefore, he had no doubt that if the Government, in the course of the discussions upon the Bill in Committee, found that the duties which would devolve upon the Court were of a very onerous and multifarious character, they would agree to the enlargement of the Commission; and that in the matter of the salaries to the Commissioners, which was one of considerable importance, they would also be guided by the decision of the Committee. For these reasons, it seemed to him that it was scarcely reasonable or wise, when they ought to be constituting the relations of landlord and tenant, to debate upon the constitution of the Court which was to administer the Bill. He should, therefore, vote against the Amendment of the noble Lord.

Mr. A. M. SULLIVAN said, it was the first time in his life that he had heard it gravely argued that the ship should be made for the crew and not the crew for the ship.

Mr. GIBSON thought no one would wisely seek to introduce into this discussion anything of heat, or the imputation of motives. Nothing could have been more courteous than the way in which the Prime Minister had alluded to this subject; and, therefore, in the same spirit, he wished to submit one or two points to the consideration of the Committee, without any intention of interfering with the progress of the Bill.

It was perfectly obvious that if the clauses were discussed in their present order, there must be some appeals made to the Government in the course of the debates in Committee, in order to ascertain what the constitution of the Court was to be. He believed the Court was referred to something like 49 times before the clause was reached under which it was constituted. And there was little doubt that when the Committee entered upon the discussion of the powers and duties to be intrusted to the Court, the Government would be pressed over and over again to indicate its constitution something more in detail, and to reply, with more precision than they had done up to the present time, as to the duties of the Commissioners. That was all the more obvious because it appeared that the mind of the Government had fluctuated, and was still fluctuating, upon the important questions of the constitution of the Court of First Instance and the constitution of the Commission which was to be the Court of Appeal. From a statement made a few nights since by the Prime Minister, it appeared that the Government had not clearly made up its mind what was to be the Court of First Instance. It was also understood from the speech of the Prime Minister, when asking leave to introduce this Bill, that it was thought desirable that the County Courts alone should be the primary Courts. But it now appeared —and it was quite right that the Government should present their measure in the best form—that such was not their deliberate intention. That circumstance rendered it all the more necessary that the Committee should know at the outset what was intended to be the final proposal of the Government with regard to the Court of First Instance. He now came to the constitution of the Commission, which, after all, was the most important point, because the Commission was to be the Court of Appeal from the Court of First Instance, and was, moreover, clothed both with unbounded discretion and absolutely unlimited jurisdiction. It was, therefore, obviously a matter of supreme importance that the House should be shown what was to be the constitution of the Commission. He had listened with attention and respect to the statements of the Prime Minister; and he now asked if Her Majesty's Government had, at the present moment, a clear and definite plan in their own minds with regard to the constitution of the Commission? If they had, why did they not state it to the House? What possible inconvenience could result from a frank and clear discussion at that stage of the parts of the Bill which really came first under their consideration? The only suggestion of inconvenience that would result from this, so far as he had been able to gather from the discussion which had taken place, was that until you knew the extent and character of the jurisdiction —whether limited or extended — you could not tell how wide a discretion it might be necessary to confer. Although, in his opinion, precedent was not at all conclusive of the question before the Committee, because each case of this kind must stand upon its own merits, and be considered with reference to the special circumstances that surround it, yet he would remind the Committee that when the Solicitor General made his observations just before in such a fair spirit, it had occurred to him that there were some precedents that might have presented themselves to his mind. He would pass by the Ecclesiastical Commission, and the case of the Charity Commissioners, whose constitution was given at the outset. But in Sections 2 to 10 of the Irish Church Act, 1869—the very earliest sections of the Act—the Commissioners were named, their jurisdiction was set forth, and the power of expanding or contracting their staff was conferred upon them. He admitted at once, however, that this was not a question to be decided by precedent. The constitution of the Commission was of very great importance, and if that were decided and frankly stated by Her Majesty's Government, the Committee could then proceed with advantage to consider what the noble Lord the Secretary of State for India had called the *modus vivendi*. Looking at this matter as one of convenience, he ventured to hope that the clauses specified in the Amendment of the noble Lord would be postponed.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) objected to the postponement of the first clauses of the Bill, in order that the final clauses should be considered before them. He would not attempt to repeat the arguments which had been so well placed before the Committee by the Prime Minister and his hon. and learned Friend the Solicitor General. He would only say it appeared to him that, notwithstanding the arguments which had been advanced in support of the Amendment of the noble Lord, the balance of convenience was in favour of proceding in the way which the Government proposed—that was to say, to discuss and settle what were to be the functions of the Commission before fixing its constitution. His right hon. and learned Friend opposite had appealed to a precedent which, no doubt, had a strong bearing upon the point now before the Committee, and he must venture, with their indulgence, to state precisely what were the facts of the case thus referred to by his right hon. and learned Friend as decisive of the present question. Upon the 14th of March, 1869, the Irish Church Bill was introduced by his right hon. Friend. The 3rd clause of it ran as follows:—"The following persons, A, B, and C, shall be constituted Commissioners under this Act;" and it then went on to prescribe their tenure of office, and other formal matters. The Prime Minister, on the 15th of April, when that part of the Bill was reached in Committee, moved that the 3rd clause, appointing the Commissioners, should be postponed upon the ground that, in the opinion of the Government, both they and the House would be in a better position to judge of the proposals as to the appointment of the Commissioners and their constitution, after they had gone through the operative clauses of the Bill and determined what were to be the duties of the Commissioners. The right hon. Gentleman (now Viscount Cranbrook) who was then acting as Leader of the Opposition, said he had no desire whatever to offer any opposition to the postponement of the clause if the Government would, at the same time, postpone also the three or four following clauses, which dealt with the appointment of officers, the fixing of salaries, and other incidental arrangements. This was at once agreed to by the Government; and, accordingly, during the whole of the month of April and the greater part of the month of May, the Committee was occupied in disposing of all the other clauses of the Bill; and it was not until the Committee had completely discussed and settled all the rest of the Irish Church Bill that his right hon. Friend moved the adoption of the 3rd clause, with the names of the Commissioners in full. He hoped his right hon. and learned Friend opposite would now act in accordance with this precedent to which he had so confidently appealed.

Mr. CHAPLIN said, he did not rise for the purpose of prolonging the debate, but to put a question to the Chairman upon a point of Order for his own guidance. He had upon the Paper an Amendment, the object of which was that Part V. of the Bill should be taken before Parts I., II., III., and IV.; and he wished to know whether, when the Committee decided upon the Amendment of the noble Lord the Member for Calne, he should be in Order in moving the Amendment standing in his name? If not, he should vote for the Amendment of the noble Lord.

The CHAIRMAN: The Amendment of the hon. Member for Mid Lincolnshire is substantially different from that of the noble Lord the Member for Calne. The Committee has to decide upon the Amendment of the noble Lord whether Clause 1 shall be postponed till after Clauses 41 to 43. After that Amendment has been disposed of, it will be in the power of the hon. Member to move the Amendment in his name.

Question put.

Mr. GLADSTONE: Sir, I rise to a point of Order. I have always been under the impression that no clause could be postponed except to the end of a Bill.

Mr. GORST (remaining seated, with head covered): Mr. Chairman, I wish to ask whether after a division has been called an hon. Member is entitled to speak?

The CHAIRMAN: If the House does not desire to hear the right hon. Gentleman, he is not in Order. It is only competent to speak, at present, on the question of the division. The question of Order will arise after the division is completed.

Mr. GLADSTONE (remaining seated, with head covered): Mr. Chairman, I have always been under the impression that it was not competent to move the postponement of a clause of a Bill except to the end of the Bill. I ask whether a postponed clause can be taken except at the end of a Bill?

THE CHAIRMAN: The ordinary mode of postponing a clause is that the clause passes to the end of the Bill; but this Question is, not that the clause should be placed at the end of the Bill, but that it should be postponed until after particular clauses have been considered. Although that form of Motion is unusual, there are precedents of an analogous character both in this House and in the House of Lords. I must, therefore, put the Question in the manner in which it has been placed on the Paper.

The Committee *divided*:—Ayes 163; Noes 246: Majority 83.—(Div. List, No. 216.)

MR. MORGAN LLOYD rose to Order. He wished to ask whether the hon. Member for Mid Lincolnshire (Mr. Chaplin) was in Order in moving an Amendment in the words on the Paper? The Committee had already decided not to postpone Clause 1, and the Amendment of the hon. Member proposed to postpone that clause together with others.

THE CHAIRMAN: The point of Order raised by the First Lord of the Treasury is not without its difficulties. The Motion already negatived was not in the usual form. The Committee has decided that Clause 1 shall not be postponed until after Clause 41. Usually, as I have said, a postponed clause goes to the end of the Bill. But, in view of former precedents, I cannot rule that the Committee has not the power to do otherwise. Only yesterday, the hon. and learned Member for Bridport (Mr. Warton) proposed to move an Instruction to the Committee to take Part V. of the Bill before Part I., which is the exact proposal of the hon. Member for Mid Lincolnshire (Mr. Chaplin); and the Speaker then said—

> "That as the Instruction of the hon. Member for Bridport was to take the 5th part of the Bill before the 1st part, this was a power which the Committee already possessed, and, therefore, his Motion could not be put."

Under this ruling I am not prepared to refuse to put the Motion, which is substantially different from that negatived. But it is clear that such Motions, following on such a Motion in regard to one of these clauses, might lead to grave abuse as a means of obstruction, and I should be unwilling to consider this as a precedent which it is advisable to follow, and I only admit it in the present case from the peculiar character of the Motion which the Committee has already negatived—not that Clause 1 should be postponed, but that it should be postponed until after Clause 41. The Motion of the hon. Member for Mid Lincolnshire (Mr. Chaplin) would have come better as an Amendment on the Motion of the hon. Member for Calne (Lord Edmond Fitzmaurice) than as a substantive Motion.

MR. CHAPLIN said, the point of Order having been decided, he would endeavour to submit to the Committee the reasons by which he was governed in moving the Amendment standing in his name. He was anxious that what he conceived to be the fatal mistake in the legislation of 1870 should be avoided now. It had always appeared to him that the circumstances of Ireland which caused nearly all the evils of that country were at that time entirely ignored, and that the Government directed attention to little, if anything else, than an alteration of the relations between the landlords and tenants. The circumstances of Ireland, however, remained the same, and, consequently, almost entirely defeated the object of the Act of 1870. That admission had been made during the discussions which had taken place upon this question, and had been moreover more distinctly brought into prominence in the Reports of the Commissions appointed to inquire into the facts connected with the present condition of Ireland. It was true that in the Bill before the Committee there were some provisions for dealing with the greatest evil in the country, described by the Prime Minister as the "land hunger which prevailed in Ireland." But the clauses which were introduced in order to deal with it were, as far as he could judge, inadequate to their purpose; while, at the same time, they occupied an entirely subsidiary position in the Bill. That appeared to him to be entirely recognized, because the right hon. Gentleman had stated in the course of the debates on this Bill that the Land Laws of Ireland were not to blame, and that it was to other causes than the Land Laws that the present state of things in Ireland was to be traced. It was, therefore, necessary to go to the root of the question if they desired to deal with it in a manner that would really alleviate and better the condition of the Irish people. The condition of the people in the West of Ireland was such that, whatever alteration was made with regard to the Land Laws, it was impossible that they could ever enjoy any material degree of prosperity. But how was any remedy to be made effective? There were proposals contained in the Bill for emigration, for making a peasant proprietary, and for the reclamation of land. These were contained in that part of the Bill which, as he had already pointed out, occupied a subsidiary position. He should be disposed to aid the scheme of so-called migration, because he believed it would be popular amongst the people of Ireland. Emigration, he knew, was unpopular; it did not commend itself to the views of many persons in that country; while several Irish Members had raised great objections to even the limited proposal of emigration in the Bill. He would like to give a short description of the benefit which might be expected to result from emigration, by one who could speak with knowledge and profound judgment on that question. The writer of the communication, which was sent to him a few days ago, spoke to this effect of the condition of the people in the West of Ireland—

> "But for the extreme West of Ireland, what hope is there from any of the foregoing devices? Along that region there extends a broad river of hopeless misery, which no change in the present relations between landlord and tenant is likely to alleviate. . . . It would be impracticable to make them proprietors; even to give them land for nothing would afford no permanent alleviation. Many of them have no land at all. Manifestly, the only remedy is emigration."

The writer went on to say that—

> "In little more than a week a proportion of these unhappy multitudes might be landed in America."

Mr. MORGAN LLOYD rose to Order. As he understood the question, it was whether Clause 1 of the Bill should be postponed or not. He asked if it was competent for the hon. Member to discuss the general provisions of the Bill, and make observations which would more properly form part of a speech on the second reading?

The CHAIRMAN: If the hon. Member for Mid Lincolnshire discusses the principle of the Bill, he will be out of Order; but I understand him to be referring to emigration by way of general argument in support of his Amendment.

Mr. CHAPLIN said, it was clear the hon. Member did not in the least understand the object he had in view. He regretted that he had made himself so little intelligible. His Motion was not that Clause 1 should be postponed, but that Part V. should be taken before the other parts of the Bill.

Sir GEORGE CAMPBELL rose to Order. He was unable to find in the Amendment any word about Part V. The Amendment simply stated "before Clause 1 postpone Clauses 1 to 18 inclusive (Parts I. to IV.)." He submitted that the hon. Member was not saying a word about Clauses 1 to 18, but was discussing another clause altogether.

Mr. CHAPLIN said, that if the hon. Member would take the trouble to look at the Amendment, he would find the words were "Parts I. to IV." It appeared, however, that the hon. Member, in spite of his great experience, had not yet been able to learn that five came after four. He felt bound to express his great regret that there should be such an extreme indisposition on the other side of the House to take into consideration what appeared to him and to many others to be a duty to consider the question what it was that really constituted the misfortunes, misery, and unhappiness of Ireland. He hoped that he might be allowed to repeat that he was not making these observations for the purpose of delay, but because he desired from his heart to call the attention of the House of Commons, and the people of this country, to that which he believed to be the real cause of the troubles which afflicted Ireland at the present time. [*Cries of* "Oh!"] He trusted that he might be allowed to finish the few observations he intended to make without being interrupted by the other side of the House. He was endeavouring to point out to the House, and, through that House, to the people of Ireland themselves, the advantages of emigration over the existence now led by the cottier tenants in the West of Ireland. Upon this point he would quote a passage from a letter which had been published by Lord Dufferin. Lord Dufferin said—

> "But for the extreme West of Ireland, what hope is there from any of the foregoing devices? Along that region there extends a broad ribbon of hopeless misery, which no change in the present relations of landlord and tenant is likely to alleviate. Perennial destitution, accentuated by periodical seasons of famine, has been the sole experience of its inhabitants during the present century. To convert these poor people into peasant proprietors would be impracticable. To make them copyholders under a quit-rent would be scarcely more to the purpose. Even to give them the land for nothing would not prove a permanent alleviation. Many of them, indeed, have no land at all. What, then, is to be done? Manifestly, the only remedy is emigration. . . . . Within the compass of a little more than a week, after a pleasant voyage, a proportion of these unhappy multitudes might be landed on the quays of Quebec, the women healthier, the children rosier, and the men in better heart and spirits than ever they have been since the day they were born. Four or five days more would plant them, without fatigue or inconvenience, on a soil so rich that it has only to be scratched to grow the best wheat and barley that can be raised on the continent of America. I myself have seen an immeasurable sea of corn clothing with its golden expanse what two years before had been a desolate prairie . . . . . simply through the exertions of a small Russian colony that had run up their shanties in that favoured land."

Lord Dufferin went further into this question; but he (Mr. Chaplin) had already read the concluding statements of Lord Dufferin on the second reading of the Bill. There were no proposals in the Bill at the present time for migration to other parts of Ireland; and he wished to press upon the Government the desirability of accepting Amendments in that direction. He would say nothing then as to the proprietary clauses of the Bill, as he had already expressed his opinion at some length on that subject; but he was certainly of opinion that the Government, instead of placing this part of the Bill in a merely subsidiary position, ought to give prominence to it and deal with it at once, because it was the only part by which they could effect any real or permanent improvement in the position of the people of Ireland. The right hon. Gentleman had given them the reason why the last part of the Bill should have greater prominence than it now occupied. He told them what he had omitted altogether to tell them in 1870, that land hunger in Ireland was at the root of all the evil. Indeed, the right hon. Gentleman called it the rooted and standing evil of the country; and yet in the first four parts of the Bill nothing was done to alleviate that evil, but the provisions proposed would tend rather to increase it. Without further delay he would move the Amendment which stood in his name.

Amendment proposed, "before Clause 1, postpone Parts I. to IV. inclusive."—(*Mr. Chaplin.*)

Mr. GLADSTONE: My noble Friend behind me (Lord Edmond Fitzmaurice), in moving his Amendment, with unquestionable sincerity stated that he did it in order to expedite the progress of the Bill. The hon. Member who has just sat down has made no such declaration about expediting the progress of the Bill. The hon. Member is incapable of putting forward a profession inconsistent with his intention. I wish, therefore, to point out to the Committee the principle on which the hon. Member makes this Motion. He objects practically to the first 18 clauses of the Bill. Then comes Part V., to which he does not object, and his argument amounts to this—that any hon. Gentleman who objects to any part of the Bill should make a Motion which would allow him to select the particular part of the measure he prefers, and to take that part for consideration first. Now, as to the question of progress and expediency. If the Committee were to assent to the Motion of the hon. Member, we should be travelling as straight as we could the road to utter confusion. It would be in the power of anybody to raise an indefinite number of questions of postponement, and to make upon the Motion for postponement a speech upon the merits of the clause which he prefers, so that in this way every clause of the Bill could in turn be brought into discussion before the 1st clause. Her Majesty's Government have made a proposal which shows the House what it is we think ought to be done. I submit that our course is to go forward with the 1st clause of the Bill, and not postpone it for the sake of considering any other clause. The hon. Member must excuse me if I decline now to enter into any discussion in regard to Part V. of the Bill.

Colonel Stanley and Mr. Mac Iver rose together.

The CHAIRMAN asked if the hon. Member for Mid Lincolnshire (Mr. Chaplin) withdrew the Amendment?

Mr. CHAPLIN replied in the negative.

The CHAIRMAN then called upon the right hon. and gallant Member for North Lancashire (Colonel Stanley).

Mr. ARTHUR O'CONNOR rose to Order. The hon. Member for Birkenhead (Mr. Mac Iver) was the first to rise, and he believed that it was the recognized Rule of the House that the hon. Member who was the first to rise had the right to address it.

The CHAIRMAN*:* The right hon. and gallant Member for North Lancashire (Colonel Stanley) and the hon. Member for Birkenhead rose together, and the former caught my eye. I first addressed a question to the hon. Member for Mid Lincolnshire, and then I called upon Colonel Stanley.

Colonel STANLEY: I am very reluctant to interpose between the Committee and the hon. Member for Birkenhead. There can be no doubt, however, that what you, Sir, have stated is entirely correct. I sat down after I first rose, having risen at the same time as the hon. Member for Birkenhead, while you addressed a question to the hon. Member for Mid Lincolnshire. I wish now to give my reasons why the Motion of the hon. Member for Mid Lincolnshire does not appear to me to be quite as unreasonable as it does to the Prime Minister. Indeed, I find in the statement which has been made by the Prime Minister himself an argument in favour of the proposal which my hon. Friend makes. The right hon. Gentleman says that it is competent in this case to discuss what part of the Bill should be taken first, and that it is competent for any hon. Member to make a Motion to take that part of the Bill first which he prefers the most. No doubt, the Government are justly entitled to say what part of their Bill should come first and what should come last; but, at the same time, judging from the language which had been used by different Members of the Cabinet, there seems to be some difference of opinion among the Government themselves as to the relative importance of the various parts of the Bill. The noble Lord the Secretary of State for India has expressly said that he looks upon some of the provisions in the later part of the Bill as containing substantial remedies for the undoubted evils which exist in Ireland, and that he looks upon the first part of the Bill as being merely the *modus vivendi.* Now, I cannot help recalling to my mind what took place in 1871. There was brought into the House by the Government at that time a Bill not very dissimilar in its general character from the Bill now before the House, inasmuch as it consisted of one provision which was likely to give rise to considerable discussion, and of other provisions which would probably meet with general approval. I refer to the Army Regulation Bill. The first part of that Bill was for the abolition of Purchase, and was made the subject of considerable debate. The other portions of the Bill met with general favour in all parts of the House, and some Members of the Committee will recollect what was done in reference to that Bill. Perhaps some hon. Members may draw some analogy from what occurred then, which may tend to guide them as to what may happen in this case. I have no intention of making these remarks in any unfair spirit; but so far as the pressure of time is concerned, the Army Regulation Bill was introduced in March, whereas the present Bill was not introduced until April. Many persons voted for the second reading of that Army Bill, not because they had any love for the first part of the measure, but out of regard for the good which they thought might be done by the latter part of it. Now, upon the present Bill many hon. Members, in the debate which has taken place, have laid much less stress upon the first part of the Bill than upon the latter part which contains provisions in reference to emigration, purchase, and so forth. It is not unlikely that history may repeat itself, and that we may find in this case a repetition of what occurred in 1871, when Mr. Cardwell came down on the 13th of June and stated that in consequence of the protracted debate which had taken place on the earlier part of the Bill, it was necessary to drop all the remaining part. The Government then claimed the support of those who had voted in favour of the second reading of the measure. I do not say that this was intentionally done, and that it was never intended by the Government to proceed with the last part of the Army Bill; but, at any rate, the effect was the same. Having obtained the general support of the House to the first portion of the Bill, the last part was afterwards dropped, and was not heard of until a year later.

Now, the noble Lord the Secretary of State for India, the right hon. Gentleman the Chancellor of the Duchy of Lancaster, and others have justly laid such great stress upon the purchase clauses of the Bill, the provisions for enabling the tenant to acquire the holding, and the emigration provisions, that it does not appear to me to be as unreasonable as the right hon. Gentleman the Prime Minister wishes the House to believe that the first part of the Bill might be suspended until we have had an opportunity of considering the last part. Therefore, if my hon. Friend goes to a division, I shall certainly support him upon this ground, and I shall neither be deterred by the objections which have been raised, nor by the question of Order, which, Sir, I thought you had effectually disposed of.

MR. MAC IVER said, he had risen, not with any intention of interposing between the Committee and the right hon. and gallant Gentleman who had just addressed them, nor had he any desire to impede the progress of the Bill; but he had thought that the right hon. Gentleman the Prime Minister had misapprehended the purport of the Amendment of the hon. Member for Mid Lincolnshire (Mr. Chaplin). He thought that hon. Members opposite would agree in the view he took that the Bill contained many useful provisions, but that there was a great deal in it which tended to overweight those useful provisions; and he therefore thought that there was a good deal more than appeared at first sight in the proposal that they should postpone the earlier clauses of the measure, in order that they might take the clauses which he could not help thinking had a great deal to do with the present troubles of Ireland. Indeed, he would appeal to a very high authority—namely, to speeches which had been made by the right hon. Gentleman the Chancellor of the Duchy of Lancaster. He thought the speech he was about to quote was applicable to the present circumstances. It was made at a time when the right hon. Gentleman represented a Lancashire constituency, and he used these words—

> "As a Lancashire Representative, I protest most solemnly against a system which drives the Irish population to seek work and wages in this country and in other countries, when both might be afforded them at home."

But in a former part of the same speech the right hon. Gentleman showed that he was sometimes inconsistent. [*Loud cries of* "Question!"] Perhaps the Committee would allow him to quote a further portion of that speech sufficient to indicate the varying views which, even in the course of one single evening, that right hon. Gentleman (Mr. Bright) presented to the House. While at one moment censuring the Irish people in a way they little deserved, he was in the next full of praise and commendation for them. Speaking in 1847, the right hon. Gentleman used these words—he quoted from a report of the speech contained in a work edited by the hon. Gentleman who now represented Southwark—

> "The great cause of Ireland's calamities is that Ireland is idle. I believe it would be found on inquiry that the population of Ireland, as compared with that of England, do not work more than two days per week. Wherever a people are not industrious and are not employed, there is the greatest danger of crime and outrage. Ireland is idle, and therefore she starves; Ireland starves, and therefore she rebels. We must choose between industry and anarchy; we must have one or the other in Ireland."

Perhaps the Committee would pardon him (Mr. Mac Iver) if he said at once that he cordially agreed with the general spirit of these remarks, with one exception, and that was where the right hon Gentleman described the people of Ireland as idle.

THE CHAIRMAN: I think the hon. Member is now travelling beyond the Amendment before the Committee, which is simply to consider the propriety of postponing Clauses 1 to 18.

MR. MAC IVER thought he would be able to show the bearing of these remarks. He thought the right hon. Gentleman the Chancellor of the Duchy of Lancaster was more nearly right when he showed how industrious the Irish people could be in foreign lands. The right hon. Gentleman in the same speech showed, notwithstanding the extract just quoted, that the Irish people—wherever the opportunity to labour was not denied them—were known to possess habits of industry, as well as many other good qualities. Wherever they had migrated to districts which had been too thinly populated they were industrious and thrifty; their usefulness in our Colonies was apparent to all. Under these circumstances, he could not but think that there was a great deal of force in the proposition of his hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin) that they should put the early clauses of the Bill on one side, until they could have an opportunity of considering seriously the questions which more nearly affected the well-being of the Irish people. What were the clauses which his hon. Friend proposed to put on one side? Not one of them dealt with the terrible question of eviction, that had so much to do with emigration. He could not help feeling that there was no more serious question before the nation than the present condition of Ireland, and that there was no more serious question affecting Ireland than eviction. He felt, therefore, that the Government had done wrong in not giving emigration and eviction, two subjects which were necessarily connected, a much more prominent position in the Bill than they had done. In his opinion, it would have been far better if the Government, instead of introducing this confused Bill, had dealt broadly with this part of the question; and he put it to the Committee that it was necessary to discuss the position of those unfortunate tenants, and the compensation which would be necessary, if it were intended to deal honestly with those landlords whose property would be injuriously affected. He trusted that the Committee would consent to postpone these clauses, the discussion of which only involved a waste of time, so that they might come at once to pressing and less controversial portions of the measure, and by this means they might be able to pass a really useful Bill with as little delay as possible.

Sir GEORGE CAMPBELL said, the proposal of the hon. Member for Mid Lincolnshire (Mr. Chaplin) really was to cut away the body and leave the tail of the Bill. The first part of the Bill would come into immediate operation in Ireland, whereas the remaining clauses could only come into operation gradually. He did not dispute the importance of the emigration clauses; but it seemed to him that the best thing they could do now was to go to a division upon the Amendment at once, and then to proceed seriously with the discussion of the Bill.

Mr. BRAND said, that he had voted for the Amendment moved by the noble Lord the Member for Calne (Lord Edmond Fitzmaurice); but, as a large majority of the Committee had decided that the Government ought to be left to deal with the measure in the order they thought best, and as he was of opinion that the Amendment of his hon. Friend the Member for Mid Lincolnshire would really lead to further delay, he should, on this occasion, vote with the Government. He trusted, however, that his hon. Friend would withdraw the Amendment.

Mr. BRODRICK thought the remarks of the hon. Member for Kirkcaldy (Sir George Campbell) formed one of the best arguments in favour of the Amendment of the hon. Member for Mid Lincolnshire. The basis of the hon. Member's argument was that the latter part of the Bill should be treated as if it were of no importance. He regarded the earlier clauses as the body of the Bill, and the other part of it as simply the tail. Taking into consideration the course taken by hon. Gentlemen opposite, and the views which were entertained on that (the Opposition) side of the House in regard to the relative importance of the two portions of the Bill, he thought the hon. Member for Mid Lincolnshire had done good service in asking the Committee to direct their attention, in the first instance, to the 5th part of the Bill.

Mr. RITCHIE thought that the Prime Minister had hardly done justice to the hon. Member for Mid Lincolnshire in the remarks he had made on the proposition submitted by the hon. Member. The right hon. Gentleman seemed to imply that the object of his hon. Friend was to set aside the first four portions of the Bill, because he did not like them. Now, he (Mr. Ritchie) was not one of those who were strongly antagonistic to the first portion of the Bill. For his own part, he had come to the conclusion that a moderate tenant right was absolutely essential for Ireland; but he had also come to the conclusion, from the evidence which had been given, both in Ireland and England on the subject of Ireland, that there was even a more important question than that of an alteration of the laws between landlord and tenant—he meant the condition of the poverty-stricken, wretched, inhabitants of the Western part of Ireland. It was a disgrace to this country that the state of things which prevailed there should have been so long tolerated. It could not be said that those unfortunate people lived there, but rather that they existed. Professor Baldwin and Major Robinson gave very valuable evidence before the Richmond Commission as to the necessity of dealing with the present condition of this population. They put in the forefront the necessity of dealing with the question of emigration and immigration. The hon. Member for Galway, who had taken great interest in the question of reclamation of waste lands, had, he thought, established conclusively that this was one of the most important questions they had to deal with. It was immaterial to those unfortunate people what rent they paid. They herded together on a few acres of bog land totally incapable of keeping themselves alive decently if they paid no rent at all. Therefore, he was free to confess that, although he attached considerable importance to the first portions of the Bill, modified as he hoped they would be in Committee, he was satisfied that by far the most important portion was that which dealt with this festering sore in the West of Ireland, and which could only be dealt with by a prudent scheme of emigration and reclamation. He, therefore, supported the proposition of his hon. Friend the Member for Mid Lincolnshire, because he was afraid that, looking at the fact that they had not disposed of two Amendments in one whole day's Sitting — [*Cries of* "Hear, hear!"] Hon. and right hon. Gentlemen on the other side of the House ironically cheered that remark; but he begged to remind them that the chief part of the day had been taken up in discussing an Amendment put forward by one of their own supporters, and if they were anxious to cheer ironically they should address their cheers to the noble Lord the Member for Calne. At the time he was interrupted he was going on to say that he was very much afraid, from the small progress they had made to-day, and from the number of Amendments which had been placed upon the Paper by the friends of the Government, that by the time they came to the most important part of the Bill they would find it necessary to drop it altogether, because there would be no time to consider it. Therefore, believing that it was the most important part of the Bill, and that they should consider it while they were fresh and had all their energy about them, instead of postponing it until a time when every Member of the House would be exhausted, he should support the Amendment of his hon. Friend the Member for Mid Lincolnshire.

MR. T. P. O'CONNOR remarked, that he had voted for the Government in the last division, and he would gladly vote for them now, if they would make it possible for him to do so. He confessed that he was strongly prejudiced against the Amendment of the hon. Member for Mid Lincolnshire—first, because of the Amendment itself, and, secondly, because it was proposed by the hon. Member for Mid Lincolnshire. He thought he was entitled to look with a certain amount of suspicion on any Amendment in regard to the tenure of land which came from such a quarter. He gave the hon. Member full credit for believing that he was right; but if the hon. Member was right, then certainly he (Mr. T. P. O'Connor) was wrong. He thought the Government had a right to ask the Committee to allow them to proceed with the Bill in the order which best recommended itself to their judgment, and it was a most serious thing for any Member of the House to ask the Committee to reverse the order at which they had deliberately arrived, because the effect of such a proposal, if carried, would be to throw all the plans the Government had made for carrying the Bill into operation into a state of confusion which might imperil the measure. There was also another side of the question, and it was this—if the Government were strongly of opinion that in this matter, to use the phraseology of the hon. Member opposite (Sir George Campbell), that it was necessary to proceed with the body first and the tail afterwards—it was not desirable that they should reverse the order, and take the tail first and the body afterwards. They were agreed that the true solution of the Irish difficulty was to buy up the property of the landlords very largely, and not to attempt a solution by patching up the relations between the landlord and tenant. The part of the Bill which the hon. Member for Mid Lincolnshire wished to discuss was that which dealt with the purchase regulation. Now, his (Mr. T. P. O'Connor's) opinion was that, if they gave a Court or a Commission power to purchase and power to expropriate, they would do far more, directly, to give the existing tenants relief than by any other means, because, if they give power to purchase from the landlord who was willing to sell and the power of expropriation against the landlord who was unwilling to sell, they would have a guarantee for the good conduct of the landlord much better than would be afforded by any tedious process of litigation. He therefore thought that the Government had better proceed with Part I. of the Bill first. Furthermore, he was afraid that the Government, from what they had said, had not yet made up their minds as to the scope of these purchase clauses. There seemed to be an extraordinary difference of opinion on this part of the Bill between the Prime Minister and the noble Lord the Secretary of State for India. The noble Lord had spoken of the first part of the Bill with something akin to contempt, as being merely transitory or a *modus vivendi*, preparing the House for the happy state of things that was to be introduced by the later part of the measure. Now, whenever the right hon. Gentleman the Prime Minister referred to the first part of the Bill, he always gave the House to understand that his desire was not to maximize, but to minimize the later portion of the Bill, and decrease the amount of money spent in the creation of a present proprietary. He hoped the Prime Minister would condescend to say whether he (Mr. T. P. O'Connor) had placed a true or a false interpretation upon his views, and perhaps the right hon. Gentleman would even go a little further, and say that he was not entirely hostile to the principle of compulsory expropriation, but that he would apply to bad and rack-renting landlords in Ireland, for the common weal, the same principle of compulsory purchase that was applied to the purchase of property for railway purposes. If the right hon. Gentleman would give him and his Friends some such assurance as that their course would be more easy; and he (Mr. T. P. O'Connor) would cordially join with the right hon. Gentleman, as he did in the last division, in opposing the Amendment.

Lord ELCHO merely wished to say a word upon the Amendment of his hon. Friend. He cordially sympathized with the view that was held by his hon. Friend that the remedial part of the Bill, and that which was for the real benefit of those who were suffering most in Ireland, was the fifth part. That was the most useful part of the Bill; but, unhappily, it was quite antagonistic to the first part. But, although he made these remarks as to the first part of the measure, he thought his hon. Friend ought to rest satisfied with what he had done in bringing the matter before the House, and that he should not divide the Committee, provided a distinct understanding were given by the First Lord of the Treasury that he would persevere with the fifth, which was the only remedial portion of the measure. He hoped to receive from the right hon. Gentleman an assurance that he would persevere with that part of the Bill until the bitter end, and carry it through as much as he would endeavour to carry the other parts through. He thanked his right hon. and gallant Friend the Member for North Lancashire (Colonel Stanley) for reminding them of what took place in regard to the Army Purchase Bill. At the time that Bill was introduced, there were many hon. Members who did not believe in the value of the abolition of purchase, and who believed that the measure would do very little for the Army if it only dealt with purchase, but who were of opinion that there were other parts of the measure which were valuable, and which would improve our military system. He recollected seeing the then Secretary of State for War walking up and down the Horse Guards, and holding consultations under the shade of the trees in the Park, considering what he would do with the latter part of the Bill, and the next day the right hon. Gentleman came down to the House and threw the rest of the measure overboard. He very much dreaded that a similar course might be taken in regard to the present Bill; and, therefore, he would urge his right hon. and gallant Friend the Member for North Lancashire to press for a distinct understanding that the Government would persevere to the end with the fifth portion of the Bill.

Sir STAFFORD NORTHCOTE: I rise for the purpose of saying very nearly what has been said already—namely, that if the question is one of the order in which the clauses are to be taken, it would not be fair, after the decision at which the Committee has recently arrived, to stand against the convenience of the Government. But there is really, I apprehend, in the mind of my hon. Friend, as there is in the minds of many other hon. Members, something very much beyond the mere question of order. Whether it is justified, or whether it is not justified, there does lie at the bottom of many minds a strong suspicion that the 5th part of the Bill, much as it is looked upon as by far the most promising portion of the measure, does not command the same sympathy and support from Her Majesty's Government as do the former parts. If we could be well assured that that is not so, of course there would be no reason why we should endeavour to press for any alteration in the mode of proceeding; but I am bound to say that there have been expressions used from time to time by the Prime Minister and others which have given grounds for the not unnatural suspicion that everything is not quite right about this 5th part. If we could be assured that we are wrong, I should advise my hon. Friend not to delay the Committee, but to rest satisfied; but if otherwise, then I think he ought to divide.

Mr. CHAPLIN wished to take this opportunity of removing the impression which appeared to prevail on the other side of the House that his Amendment had been moved for the purpose of delaying the progress of the Bill. He could assure the Committee that it was not so. If he had desired to impede the progress of the Bill, he would have done so in a manner that could not have been mistaken. He certainly should not aim at one thing while pretending to do another. He had moved this Amendment for the reasons he had stated just now; and he had an additional reason for so doing—namely, that one or two observations had fallen from the right hon. Gentleman the First Lord of the Treasury in regard to this question which justified hon. Members on that side of the House in entertaining an uncomfortable feeling of suspicion that the right hon. Gentleman was not himself altogether enamoured of the 5th part of the Bill. He thought the right hon. Gentleman had said on one occasion that the question of emigration was open for consideration; and, that being the case, the right hon. Gentleman could not be surprised that they who on that side of the House attached importance to the 5th part of the Bill should desire emphatically to press their views on the Committee. Some hon. Members on the other side of the House spoke as if this was the first time the question had been mentioned; but everything that had been uttered, the very words that had been used, had been heard before. Everything told them now the House heard in 1870, and with this result—that the Government failed as completely and utterly as never a Government failed before. Desiring to avoid the cardinal mistakes committed in 1870, he wished to impress upon the Government the immense importance of recognizing above all, and before all, what lay at the root of all the miseries of Ireland. They had the word of the right hon. Gentleman for it. The right hon. Gentleman had himself called the attention of the House of Commons and of the country to the fact that what lay at the root of all the suffering in Ireland was the land hunger which existed in that country. Then, was it not natural that he (Mr. Chaplin) should impress upon the Government the necessity of acting on their own words, and going to the root of the question to begin with, and not at the end? To show that he had no desire of impeding the progress of the Bill, he would not proceed with his Amendment now; but he might be allowed to say that, as the right hon. Gentleman distinctly assured the House the other night that there was no confiscation in this Bill, they on that side of the House had since then proved and demonstrated beyond the possibility of doubt that there was confiscation in it. So far, they had received no answer from the other side of the House. No single Member of the Government had attempted to meet or grapple with the question; and although on that occasion he should not further delay the progress of the Bill, he reserved to himself the right of taking whatever course he thought fit in future until it was made distinctly clear that there was no confiscation in the measure.

Mr. GLADSTONE: I must confess that it appears to me very little is gained in the progress of the Business of the House by raising debates of this kind, in which an hon. Gentleman, after delivering himself twice of his sentiments, concludes by saying that he will proceed no further at present, but that he will reserve to himself the right of raising the question again. I am also asked for an assurance as to the relative importance I attach to the different portions of the Bill. [Mr. CHAPLIN: I made no such request.] No, it was the right hon. Gentleman opposite; but we were told by the hon. Gentleman that no Member of the Government has attempted to make the simplest reply to his demonstration on the subject of confiscation. Now, to the charge of confiscation brought against the Bill, I endeavoured to make what I thought was a sufficient reply, though, probably, the hon. Member, from the sublime height on which he stands, has failed to observe so minute an object as a counter-argument. The hon. Member says that no answer has been made to that charge. Answers have been made and answers will be made. There is no confiscation in the Bill. If there were confiscation to be found in this Bill it would be found in the recommendation for which the hon. Gentleman is responsible, which would enable the tenant to obtain the judgment of the Court to prevent a landlord from obtaining the rent he might obtain in the open market. If there is anything in the shape of confiscation the hon. Member is the author of it. But I will not enter into that matter now. I will only take the opportunity of assuring the hon. Member that he shall have it elucidated to his heart's content. As to the seductive prospect which the hon. Member for Galway (Mr. T. P. O'Connor) holds out to me of having his support in the coming division, if I will only give an assurance that I am ready, at the expense of the people of the Three Kingdoms, to authorize a Commission to go into Ireland and compulsorily to buy the estates of the landlords, or to buy them without any particular limit as to the amount, and for the Government to undertake the responsibility of providing the means, I will not add a syllable to what I have already said on the subject. I have gone very far in proposing that liabilities should be undertaken by the Public Exchequer; and the right hon. Gentleman the Leader of the Opposition, who likewise wants assurances as to the importance I attach to Part V. of the Bill, and is jealous that it may be dropped, appears to have forgotten that on the night of the introduction of the Bill he pointed to the large and dangerous liabilities which the measure involved. Under the present circumstances, I do not think it wise to enter into a large discussion of this part or that part of the Bill. The Bill has been proposed by Her Majesty's Government as a whole. They draw no distinction between one part and another part of the Bill. The importance they attach to it is more than they can describe in words, and that importance they have never limited to Parts I., II., III., or IV., or any other part. Upon that ground they are prepared to stand, and as I trust we are all desirous of dealing with the matter, and of proceeding with the Bill, we may now pass to the consideration of the 1,500 Amendments which stand on the Paper in order that we may make some progress with the measure.

MR. GORST wished to point out to the right hon. Gentleman that having been challenged to give an assurance, he had sat down after having carefully avoided giving any. This was one of the points in which the Committee were placed in a position of great difficulty by the two voices with which the Government spoke to them. When the Secretary of State for India addressed some observations upon the subject, he laid the greatest possible stress upon Part V. of the Bill as the cardinal portion of the Bill, and the noble Lord did what the right hon. Gentleman the Prime Minister said the Government would not do—he did draw a distinction between one part of the Bill and the other. [Mr. THOROLD ROGERS: Where?] It was not in the House of Commons. The learned Professor who gave that ironical cheer appeared to think that the words of a Minister were not binding unless they were uttered in that House. He (Mr. Gorst) imagined that Ministers of the Crown were bound by their public utterances everywhere. The noble Lord the Secretary of State for India did what the Prime Minister said no Member of the Government would do—he drew a distinction between the two parts of the Bill, and stigmatized the 1st, 2nd, 3rd, and 4th parts as a mere *modus vivendi* until Part V., which was the really valuable part of the Bill, should come into operation. All he (Mr. Gorst) now wished to call the attention of the Committee to was that on scores of occasions it would be their fate to listen to two distinct voices on the part of the Government, and that they would have the greatest difficulty in making out which voice they were to believe. The Secretary of State for India said the 5th part was to be the important part of the Bill. The Prime Minister, when challenged, slurred over the 5th part, evidently attaching no importance to it, and his (Mr. Gorst's) belief was that when Part I. and the earlier parts of the Bill were safely got through Committee, they would see Part V. dropped altogether.

THE MARQUESS OF HARTINGTON: The hon. and learned Member for Chatham (Mr. Gorst) and hon. and right hon. Gentlemen opposite have referred again and again to what I said in the City not long ago; and I may as well, therefore, state exactly what it was I did say on that occasion. I referred to the different parts of the Bill, no doubt; but I am not aware that I drew a distinction between them. Certainly I did not do what the hon. and learned Member says—"stigmatize" the first portion of the Bill. I do not know why the hon. and learned Member should assert that a statement that the first portions of the Bill are intended to provide a *modus vivendi* must be called "stigmatizing" the Bill. I should like to know what could be more important than to provide a *modus vivendi?* What can be a more essential object of this Bill? No doubt I said, as I would still say, and I think most of my Colleagues would say, that the provisions of the Bill which relate to emigration and the increase in the number of landowners are the provisions most likely to effect a permanent improvement in the condition of Ireland. At the same time, I stated plainly, as I state now, that we cannot look to these parts of the Bill and to these provisions to produce any very rapid or immediate improvement in the condition of Ireland; and it is absolutely necessary, until the beneficial influence provided by that portion of the Bill can come into full operation, that other measures should be adopted which will enable the country to tide over the present state of things. I certainly never drew any distinction between the relative importance of these objects. If I am asked which is the most important object—whether to provide a permanent but very gradual cure, or to provide the means for making the existence, either of landlords or tenants, tolerable and pleasant in the meantime—I should say the immediate object is the more important one. But I do not wish to be drawn into giving precedence to the importance of one part of the Bill or the other. Nothing I have said is inconsistent with what was said by my right hon. Friend that the Government regard this Bill as a whole, and that as a whole they intend to go on with it. The condition of Ireland appears to me to be that of a patient, who from some cause—perhaps of very long standing—finds himself extremely ill. There might be an opinion that certain changes in his mode of living would alone restore him to complete good health; but these changes could not be applied immediately to restore him, and it is a remedy to be actually applied at this moment that the Government are proposing in the first part of the Bill. I hope that, having now stated what I said and what I intended to say at the Fishmonger's Hall, there may be an end of any attempts on the part of hon. Members opposite to attribute to me a desire in any way to disparage the importance of the first portion of this Bill.

LORD JOHN MANNERS: It must be a matter of satisfaction to my hon. Friend the Member for Mid Lincoln (Mr. Chaplin) and to other Members of this House who take the view which he does—namely, that the material part of the Bill for the permanent improvement of Ireland is to be found in the 5th part, and not in the first four portions—to find that the noble Lord the Secretary of State for India adheres entirely to the statement which he made some nights ago in the City. It is most satisfactory to be informed, on the authority of the noble Lord, that not only does he hold that view, but that he is authorized to say that that view is shared by most of his Colleagues. I am sorry that the noble Lord has not been able to go a step further, and to assure the Committee that that view is shared, not only by "most," but by all of his Colleagues. Still, that assurance is most satisfactory, and I trust that my hon. Friend will not think it necessary, after that assurance, to press his Amendment to a division. With regard to the statement of the Prime Minister I have only one word to say, and that is that in the course of it the right hon. Gentleman thought it expedient again to attempt to fix on my hon. Friend that most unfounded charge that he is responsible for the constitution of the Court for settling the relations between landlord and tenant in Ireland. No doubt my hon. Friend, as one of the Commissioners, assented to the Report of the Commission; but I challenge the right hon. Gentleman to find in that Report any mention of the word "Court."

Mr. MAC IVER wished to ask the noble Lord the Secretary of State for India a question in regard to the meaning of the statement which he had just made. When he, on the part of the Government, declared that they took their stand on the whole Bill, did he mean that they gave the House the Bill, the whole Bill, and nothing but the Bill, and that the House must accept it without having regard to any of the important Amendments which had been placed on the Paper by hon. Members on both sides of the House, and without the omission of a single clause? Did the noble Lord and the right hon. Gentleman the Prime Minister mean that when they said that the House must take the whole Bill absolutely and precisely as it stood? If the noble Lord did not mean that, would he kindly point out in what direction Amendments would be accepted?

Mr. BIGGAR thought that the Irish Members, on a question of this sort, should have an opportunity of saying a few words. It seemed to him that the policy of the Tory Party in regard to the Bill was, if possible, to get the only portion of the measure which the Irish Members looked upon as beneficial to the Irish tenants shelved, and simply carry that part of it which the Irish Members conceived to be, not only valueless, but mischievous. Hon. Members with whom he acted were all of opinion that the clauses which had reference to emigration would be highly mischievous; and they thought the Prime Minister should not stick too firmly to the idea he had propounded that it was necessary to have the Bill, the whole Bill, and nothing but the Bill. The practical result of adhering to that policy would be that the Bill would still be in Committee, at least, until the 1st of August, with the certainty that it would not be passed into law during the present Session. There were two parts of the Bill that it was most important and desirable to pass into law this Session—namely, those parts which proposed to fix the rents of the holdings, and to make provision for the purchase of holdings by the tenants. If those portions of the Bill were not rapidly disposed of there would be no chance of having any really valuable measure passed this Session, and all the time which had been occupied over the Bill would be entirely wasted.

Amendment *negatived.*

Lord EDMOND FITZMAURICE said, the next Amendment on the Paper stood in his name, and was merely a formal Amendment to enable him to move other Amendments further on, excepting certain tenancies from the operation of the clause. He was simply anxious that when he reached the part of the clause in which he wished to move a substantial Amendment, he and others having similar Amendments should not be debarred from having the right to move them on the ground that, having accepted the earlier portion of the clause, they had shut themselves out from proposing these alterations. He hoped the Prime Minister would be able to assure him that when the exceptions to which he referred were reached, neither his hon. Friend the Member for Kirkcaldy (Sir George Campbell), nor the hon. Member for Falkirk (Mr. Ramsay), nor himself, should be considered as having deprived themselves of their right. He mentioned this because it had been stated on another Bill that when a clause had been practically passed a proposal for an alteration or exception at the end was too late, the Member making the proposal having been a party to accepting the clause as it stood, without there being anything to show that there was to be an exception further on. He wished, if possible, to have an assurance from the Prime Minister that the Rules of the House for regulating the proceedings of Committees would not be used to prevent him from bringing up subsequently the Amendment which he wished to move. The best course would certainly be to discuss the exceptions on their own merits when they reached the last part of the clause.

Amendment proposed, in page 1, line 7, before the words "the tenant," insert "except as hereinafter provided."—(*Lord Edmond Fitzmaurice.*)

MR. GLADSTONE said, he apprehended there would be no difficulty in moving the Amendment the noble Lord desired to move at the end of the clause.

LORD EDMOND FITZMAURICE said, that, in that case, he would, with the leave of the Committee, withdraw the Amendment.

THE CHAIRMAN put the Question that the Amendment be, by leave, withdrawn, and declared that the "Ayes" had it.

MR. WARTON: I object, Sir.

THE CHAIRMAN: The Amendment has been, by leave, withdrawn.

MR. WARTON: No, Sir; I challenged it before you said that it was withdrawn.

THE CHAIRMAN: The hon. and learned Member may have challenged my decision; but his challenge did not reach me until after I had declared that the Amendment was withdrawn.

MR. WARTON: I spoke loudly and distinctly.

VISCOUNT FOLKESTONE: I heard the hon. and learned Member challenge the decision of the Chairman.

MR. A. M. SULLIVAN: Is not the hon. and learned Member for Bridport (Mr. Warton) resisting the authority of the Chair?

THE CHAIRMAN: I have no doubt the hon. and learned Member for Bridport is perfectly correct in his statement, and I can only regret that I did not hear his challenge until after I had said that the Amendment was withdrawn.

EARL PERCY: Would it not be as well that the Chairman, on rising to put an Amendment, should kindly look round the House before he decided?

MR. BRAND: I rise to Order. I wish to ask what is the Question before the Committee?

THE CHAIRMAN: There is no Question before the Committee on which the noble Lord (Earl Percy) is entitled to speak.

EARL PERCY: I rise to Order.

THE CHAIRMAN: There is no Question of Order. I always endeavour to look round.

MR. WARTON: But you did not. [*Cries of* "Order!" *and* "Name him!"]

MR. GLADSTONE: If the hon. and learned Member does not retract that expression, I must move that the words be taken down.

MR. WARTON: What words?

MR. GLADSTONE: The words, "You did not." It is a direct contradiction of the Chair.

MR. WARTON: My words were not the contradiction they appeared to be, and were probably not distinctly heard owing to the noise which prevailed. I should not have been so rude as to contradict the Chair. I did not say, "You did not." The expression used by the Chairman was, "The Chair endeavours to look round," and I said, "But does not." If it is an expression I was out of Order in using, I at once withdraw it; I only wish to say that I did challenge the decision of the Chair before the Amendment was declared to be withdrawn.

THE CHAIRMAN: The hon. Member denies having used any offensive expression. The next Amendment on the Paper is one in the name of the hon. Member for Wexford (Mr. Healy)—Clause 1, page 1, line 7, at commencement, insert—

> "From and after the passing of this Act the 13th section of 'The Landlord and Tenant (Ireland) Act, 1870,' shall be, and the same is hereby repealed."

That Amendment cannot be put, because it proposes to insert words at the beginning of the clause. It can, however, either be brought up as a separate clause, or as an addition to the clause. The next Amendment is in the name of the hon. Member for Stroud (Mr. Brand).

MR. HEALY said, he did not propose to challenge the decision of the Chair; but he wished to know upon what grounds an hon. Member could not propose an Amendment at the beginning or in the middle of a clause just as well as at the end? He had never heard it laid down before that an Amendment must appear at a certain corner or turning of a clause. As far as he was concerned, the present ruling did not make the slightest difference, as he was indifferent whether the Amendment came at the beginning or at the end of the clause; but he would submit that for the purposes of the Bill the Amendment would really be better at the beginning, and he did not think that he ought to be fettered in his judgment as to where it should be inserted by the judgment of any other Member, even if it happened to be the Chair. [*Cries of* "Order!" *and* "Chair!"] He had said nothing disrespectful to the Chair. He had only submitted that hon. Members ought not to be fettered in their judgment by the views of any other hon. Member.

Mr. MORGAN LLOYD rose to Order. He wished to know if the hon. Member was in Order in challenging the ruling of the Chair?

The CHAIRMAN: I have already explained to the hon. Member that his Amendment would not be out of Order if proposed at the end of the clause; but it is inconsistent with the construction of the clause to take it at the commencement; and I, therefore, rule that it is out of Order. I call upon the hon. Member for Stroud (Mr. Brand).

Mr. BIGGAR rose to Order. He begged to move that the Chairman report Progress and ask leave to sit again. There would be no use in commencing the discussion of a new Amendment two minutes before the time at which they would be obliged to adjourn the consideration of the Bill.

Mr. CALLAN asked whether, as the Chairman had called upon an hon. Member by name to move an Amendment, it was competent for the hon. Member for Cavan (Mr. Biggar) to intervene, and, stating that he rose to Order, proceed to move to report Progress?

The CHAIRMAN: The hon. Member for Louth (Mr. Callan) is perfectly correct. It is not competent for the hon. Member for Cavan to intervene on a question of Order, and then to move to report Progress.

Mr. HEALY said, that he had also risen to a point of Order, and had not concluded his remarks when he was interrupted by a Welsh Member. Mr. Playfair, without allowing him (Mr. Healy) to conclude, called upon the hon. Member opposite (Mr. Brand). He apprehended that the Chairman had ruled his Amendment to be out of Order simply upon his own *ipse dixit*—[*Cries of* "Name!"]—but he did not propose to challenge the decision of the Chair. It had been ruled that he could not move any Amendment at the present time. Of course he submitted to that ruling; but he respectfully asked the Chairman to state upon what grounds he (Mr. Healy) was unable to move the Amendment.

The CHAIRMAN: The Chairman is intrusted with the duty of presiding over the conduct of Business in Committee. After consulting the officers of the House, who have had the greatest experience, and who coincided with me that it would be inconsistent with the construction of the clause for the hon. Member to move his Amendment at the beginning of the clause, I ruled that the Amendment was out of Order. I now call upon the hon. Member for Stroud (Mr. Brand).

Mr. BRAND remarked, that it was impossible to move his Amendment then (6.50); and he would, therefore, move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Brand.*)

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

And it being ten minutes to Seven of the clock the House suspended its Sitting.

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The House resumed its Sitting at Nine of the clock.

## *ORDER OF THE DAY.*

### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## REPRESENTATION OF THE PEOPLE (ELECTION SYSTEMS).

### RESOLUTION.

Mr. BLENNERHASSETT, in rising to call attention to the importance, in view of probable changes in the electoral franchise and the distribution of political power, of full and accurate information with respect to the relative advantages of various systems of election including proportional representation, the cumulative vote, and the restricted vote; and to move—

> "That a Select Committee be appointed to inquire into and report upon the system of election of Members of this House best calculated to secure the just and complete representation of the whole electoral body,"

said, it was impossible to exaggerate the serious nature of the change which was impending, and which would bring upon the register a larger number of electors than had been enfranchised by any previous Reform Bill. Before embarking upon a change so great, it was of the first importance that the fullest possible information should be obtained, in order that the change might be made in a way which should produce the maximum amount of advantage and the minimum of danger that might attend it. He was most anxious that the House of Commons should reflect the mind of the country; but, in order that it should do so, the utmost care should be taken so to organize the electoral body as that it should not remain inaccurate, misleading, and unjust, owing to the present extremely anomalous distribution of electoral power. At the last General Election, 181,000 electors failed to return a single Member, while 785,000 electors returned no fewer than six Representatives to Parliament. It was a fact that, taking many important electoral divisions, a majority of electors were represented by a minority of Members, the result in all such cases being to stultify the opinion of the majority of electors. It ought not, therefore, to be overlooked that, under the existing system, a large majority of the electors might be excluded from direct representation in that House. They were, no doubt, told, in answer to that grievance when it was put forward, that if the complainants were not directly represented in their own constituencies they were indirectly represented in other constituencies. That argument had, however, he thought, been sufficiently exploded during the debate on the Reform Bill of 1832. They had now no guarantee that the majority of Members in the House represented the opinion of the majority of the electors of the country. At the last General Election no fewer that 70 Liberal seats and 48 Conservative seats were won or saved by majorities not exceeding 1 in 20. Slight changes in the feeling of the country might thus lead to disproportionate changes in the composition of the House of Commons, and a small section of weak-minded persons in the constituencies might bring the political life of the country into a dangerous and unsettled condition. Besides, it should be remembered that in the case of what might be called an equilibrium of opinion, where a small number of electors could influence an election, the inducement to corruption was always greatest. The question was, whether they could not preserve all the advantages of representative government, and yet free themselves from the disadvantages which he had pointed out. The Act of 1867 admitted the principle of the representation of minorities, and another and very important recognition of that principle was to be found in the Act relating to School Board elections; but the question was, whether the existing system could not, as he believed it could, be improved. He believed it was possible to give to every Member, both of a minority and a majority, representation in Parliament by the proportional system, as advocated by Mr. Hare. He believed the plan of proportional representation to be the true solution of the problem of representative government. His Resolution, however, did not pledge the House to that opinion; it simply asked for inquiry into the system, in order to find out what was best; his case, as regarded proportional representation, was that it was worthy of careful inquiry and consideration. It was impossible to speak of proportional representation without mentioning the name of Mr. Hare, to whom it owed its origin. He was indebted to Mr. Hare for extracts from unpublished letters of eminent public men which were addressed to Mr. Hare on the publication of his work. [The hon. Member proceeded to read strong expressions of opinion in favour of the scheme from Mr. J. S. Mill, M. Prévost Paradol, and Professor Cairnes. The last-named remarked that it disposed of bribery without any additional machinery.] As to the objection that the plan was new and unfamiliar, the answer was that it was neither mysterious nor complicated, and that it was easy to understand and to practice. The best description of it was to be found in the words of Mr. Mill in proposing the clauses which he endeavoured to insert in the Reform Bill of 1867. There was nothing more in it than that votes were to be received in every locality for other than local candidates; an elector would be allowed to bestow his vote on anyone, and he would naturally vote for the person who would represent him best. If a sufficient number of persons fixed their choice on anyone, he would be elected; and the number of votes sufficient to elect a candidate would depend upon the proportion of the total number of Members to the total number of the whole constituency. Taking certain figures, the number of votes necessary to elect a candidate in this way would be 3,000, and when that number of votes had been put to the credit of a candidate, those whose votes had not been counted would not lose them if they had put down the name of a second candidate, to whom they were to be given if not required by the first. In that way an elector might vote alternatively for a first, a second, or a third candidate. This plan would prevent the throwing away of votes, and it would give no trouble to any but the scrutineers; while, as a matter of fact, their work would be simpler than many operations of daily occurrence. He refrained from entering into questions of detail, which could be better examined in Committee. The answer to those who said the plan was unworkable was that it had been working well many years. It had been adopted in the elections of Denmark for the last 20 or 30 years; and Lord Lytton, when he was Ambassador at Copenhagen, gave a clear account of the simplicity with which the plan was worked. It had been successfully tried in an election in London within the last few days. The effect of its adoption in Parliamentary Elections would be to make the House of Commons a truer reflection of the mind of the people, a truer image of the feelings of the nation. Every voter might have a due share of political power, and no one need be nominally represented by a candidate against whom he had voted. Under the system which he recommended power would be given to educated and enlightened minorities to elect men to represent them, and the House of Commons would become the representative of the national intelligence. No sudden and violent changes would take place in the House not corresponding with changes outside. What were the objections which were urged against the system? One objection was that it would destroy the local character of our representative institutions. He contended that no such effect would follow. On the contrary, while the electoral system was made more elastic, local attachments would remain as strong as ever. Another objection was that crotchets and interests would increase, and legislation on the broad principle of the general good would be interfered with. Now, he thought that crotchets ought to be represented if a certain number believed in them. He sincerely believed the only real objection and difficulty in the system was its unfamiliarity to the public mind. But that ought not to influence them. At the last General Election a peculiar form of electoral machinery originated at Birmingham, and shortly after that election the President of the Board of Trade wrote a letter to *The Times* newspaper that, whether for good or evil, the organization had taken firm root in the country, and politicians would do well to give it in future unprejudiced attention. He cordially admired the energy and skill by which his right hon. Friend and those who worked with him had attained results so eminently satisfactory. He contrasted this with the secret caucus system in America, by which the franchise was so manipulated before the voter went to the poll that there was no such thing as the exercise of free suffrage. He entertained no doubt that such a system as this would be eminently distasteful to the President of the Board of Trade, for, in his address to the National Liberal Federation in Leeds in 1879, he insisted that every section of the Party should be represented, and that none should suffer from exclusion. That was the strongest argument in favour of minorities. He claimed the support of all who honestly and sincerely held the Democratic theory of government. He hoped he had said enough to convince the House that there were grave and serious considerations involved in this matter, considerations which did not appeal to political passion or partizan zeal, but to the calm judgment of thoughtful men, who looked to the future, as well as the present. They had now an interval of political calm; no one could say how long that calm might last; but what he desired was that it should be used in collecting information upon this subject. There were many reasons why the Government should not refuse the Committee for which he asked. Those who believed in the system believed in it so strongly and with such entire conviction that the question could not possibly be suppressed. Some felt so strongly on the subject that, anxious as they were to support Liberal progress in every direction, they would find it utterly impossible without this inquiry to support any proposal for electoral reforms, and would feel it their duty to give their most strenuous opposition to any measure for the extension of the franchise if they had not full information on the subject. This was no class or Party question. It was in the interest of all classes, and in accordance with the principles of both Parties; the question was how they could get the most perfect safeguards at once against Democratic passion and oligarchical re-action. He begged to move the Resolution of which he had given Notice.

MR. A. ELLIOT said, that a great many on that side of the House hoped that the great question of County Reform would be dealt with next Session, and if that were so, they should not delay to make inquiries into the subject now before them. In supporting the Resolution he did not wish it to be supposed that in all respects he agreed with his hon. Friend the Member for Kerry (Mr. Blennerhassett). His desire was, before Party passion and individual prejudice became excited, in view of another General Election, to look as deeply as they could into the different methods by which true representation was to be provided. The House of Commons was now on its trial; it was not the only great debating place in the country—discussions were held outside as well as inside that House. For their own credit they ought to take care that their character as a Parliament, where great measures were to be discussed, should be kept up by making the House truly representative of the nation. They had heard from Mr. Mill and Mr. Lowe equally gloomy anticipations of the terrible evils of a monotonous electorate, and how monotony would reign in that House. He denied that there was one uniform way of thinking in the present House of Commons, or that variety did not exist. By a proper re-distribution of seats, and an increase in the system of one-membered seats—the plan always favoured by Mr. Cobden—if any strong opinions were held in the country, Members would be found in that House to represent them. It was supposed that there was little chance of a minority being unrepresented in that House; but there was a chance of it. Let them take the case of Scotland. While he rejoiced that in Scotland the Liberals were so strong, he must say, as a Liberal, that Scotland would not be so well represented if Scotch Conservatives were shut out from that House. The House would be less representative, and no good would be done to the country at large. They must remember that under the next Reform Bill the increased county electorate would necessitate, if they were to regard numbers at all, a large increase of County Representatives. Without discussing all the various systems that had been proposed, he would only express his preference for small or moderate-sized constituencies, each electing one Member. What he desired was that a constituency should have some knowledge of its Members, which was, of course, impossible if the number of voters was very large. As things were, the constituencies had the power of electing Members, but were, in most cases, practically unable to select candidates. To his mind, it was one of the main objections to the celebrated system of Mr. Hare that it would tend to prevent the expression of local feeling. At the same time, the plan might be tried in a modified form, in Lancashire, for instance, where large minorities were, in more than one case, virtually unrepresented. The changes that were, in his opinion, most urgent, were such as would increase the elector's power of choice, and would secure the proper representation of local feeling and interests. He was glad to second the Resolution of his hon. Friend.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into and report upon the system of election of Members of this House best calculated to secure the just and complete representation of the whole electoral body,"—(*Mr. Blennerhassett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ARTHUR ARNOLD observed, that the speech of the hon. Member for Kerry was substantially a recommendation of Mr. Hare's system of voting, the objections to which were, perhaps, more obvious than its advantages. He saw no reason for referring the question to a Select Committee, though he admitted that some of the principles enunciated by the hon. Member would probably improve our present scheme of representation. It was a matter which might rather be referred to the electors of the country to consider for themselves. It would probably happen on the occasion of every General Election that they would have one man elected the supreme Representative of the country. There were several important questions which would be brought before the people of the country at no distant date — the liberation of the Church, the liberation of the land, in which he was more intimately interested, and possibly the liberation of Parliament from control by the other House of the Legislature. It was therefore important that every means should be used for insuring the most effective representation of the people of this country. With regard to the manner in which minorities were represented in three-cornered constituencies, he could not say that he was an admirer of the system. Suppose his hon. Friend the Member for Carnarvonshire (Mr. Rathbone), at the time when he was the minority Member for Liverpool, had been nominated one of the Ministers of the country, it would have been utterly impossible for him to seek re-election, as it would now be for a Conservative in Manchester. He could not vote for the proposal of his hon. Friend the Member for Kerry, for while he thought the subject was one of great importance which the people ought to investigate for themselves, he did not believe it could be usefully considered at the present time by a Committee of the House of Commons.

Mr. RATHBONE said, he was surprised to hear a Radical Member like the hon. Member for Salford (Mr. Arthur Arnold), who, he thought, did believe in principles, state that what was just and right was not expedient. He (Mr. Rathbone) was not prepared to say whether Hare's system of representation was the best form of minority representation or not; but he was prepared very cordially to support a Motion for examination into what would be the best system of insuring the representation of minorities in the very great extension which they were bound to give to the representation of the Democratic part of the community. When he first advocated the system of the representation of minorities, he had not the slightest expectation of being a Member of that House, and also at that time he believed that the extension of the franchise in Liverpool would have given entire power to the Liberal Party. So it would have done if it had not so happened that the first election for Liverpool was on the Irish question of the Disestablishment of the Church, which raised the very strong feeling which exists in Lancashire of an anti-Irish and somewhat anti-national character. He advocated that system, because, believing it was necessary that every part of the community should be represented, it seemed to him that there was a strength and a weakness in every kind of Government which they had yet seen. An aristocratic Government was apt to be somewhat narrow and oppressive, though having its own virtues; and certainly a Government confined to the middle classes, as they saw it in Louis Philippe's time in France, was narrow and mean, though it also had very great advantages; while a solely Democratic Government would be apt to be swayed by great tides of public opinion, and, therefore, not be sufficiently stable. What they really wanted was a Government which should represent the strength of every section. The second ground on which he thought a representation of minorities was very important was, that while believing, as he did, that the instincts of the people were good and right, yet he did believe it was necessary, especially in a Democratic constituency, that a number of men should be kept before it, and, as leaders of that constituency, should be so independent that they would be able, when there was a great wane of public opinion in one direction, to keep before the community, from an independent, a prominent position, the other side of the question. Even on our very imperfect form of minority system Mr. Cobden would have continued to represent the West Riding; the Chancellor of the Duchy of Lancaster, Manchester; and the Prime Minister, South-West Lancashire. He believed that would have a most beneficial effect on the country, and would not have been without its advantages on those distinguished men themselves, for he considered it very important that those who led the Government should represent large constituencies. Such representation brought them in contact with very different sections of the community, and it had a tendency to steady a politician and prevent him from running into extremes. Minority representation gave a man a very great advantage in taking a bold course against particular sections of the community. The hon. Member for Salford (Mr. Arthur Arnold) had said that if a man represented a minority be could not take Office; but that difficulty would be removed if they could only throw away the absurd old system which required a new election when a Minister took Office, and which enabled a small constituency to reverse the determination of the nation. He was now no longer a minority Member, and could speak without any personal interest. What a monstrous thing he said it would be if, in a constituency of 60,000 electors, where 5 per cent would turn the scale either way, that the minority, which with a slight wave of public opinion might become the majority, should for the term of years be absolutely unrepresented. They might say that the minority of Conservatives in the towns would be represented by the Conservatives in the country, and *vice versâ;* but he pointed out that the Liberal Members for the counties represented a different shade of opinion from the Liberal Representatives in the towns.

MR. ASHTON DILKE said, he thought the attitude assumed by the Liberal Members who had joined in this discussion justified the course taken by the hon. Member for Kerry (Mr. Blennerhassett) in bringing forward this Motion. It was curious to notice the differences of opinion on the subject in the present Ministry. The President of the Board of Trade and the Chancellor of the Duchy of Lancaster were strong supporters of the absolute representation of the majority. On the other hand, the Postmaster General and the Under Secretary of State for the Home Department advocated a totally different system. The Under Secretary of State for Foreign Affairs was also much interested in the question of the best way to secure the representation of minorities. It was a strange fact that the late Conservative Government had been returned to power by a minority of electors. The inadequate representation of Scotch Conservatives had been referred to; but there was a more striking instance in England. The English Catholics had not been able to return a single Member in the House of Commons. He thought this Committee was needed more for the Government than for independent Members. Two statements had been lately made by the Prime Minister which he thought justified the case of the hon. Member for Kerry. The one was, that the Government staked its existence on the Irish Land Bill; and with this ought to be compared the statement of the noble Earl the Secretary of State for Foreign Affairs, that the present Parliament would not be dissolved until it had dealt with the question of county representation, for which it had been elected; he hoped that was so; and the other was, that the late Conservative Ministry had had a perfectly Constitutional right to act as they had done, just like the present Ministry, though the former only represented a minority of the nation. This Committee, if appointed, would do useful work in dealing with other important points, such as the residential franchise—the assimilation of the county to the borough franchise, and the different kinds of voting—for even in Parliamentary Elections there were two kinds, the minority vote being one; and there were different systems in Parliamentary, municipal, and school board voting—all these were questions of the greatest interest; and he hoped the Government would accept the Resolution of the hon. Member for Kerry.

MR. BIGGAR said, that the hon. Member for Kerry advocated what was known as the Hare system. The Resolution was, at all events, an innocent one, and would simply involve a Committee of Inquiry, a great mass of evidence, and the publication of Blue Books which nobody would read. He had himself practical experience of the tyranny of a majority in municipal matters, where the majority absolutely overrode the minority, and incurred heavy liabilities which bore equally on the minority with the majority. He should oppose the scheme of the hon. Member for Kerry, for the reason that it would favour, as he believed, wire-pulling on the part of the Leaders of one of the two political Parties.

SIR WILLIAM HARCOURT said, that though the discussion had been of a very interesting and instructive nature it could not be denied that the speech of his hon. Friend, with which it opened, was more of an academical than of a practical character. He could only say that it had never before been the custom of the House of Commons to refer matters of this kind to Select Committees—indeed, he remembered the saying of a very distinguished statesman, that he would never submit the Constitution of this country to a Select Committee. Any alterations of the laws of this country ought to be based on a deliberate expression of opinion of the country, and not upon the Report of a Select Committee. If a Committee were appointed, what practical result would follow? It could only be very much a reproduction of the debate of to-night. There would be a very ingenious speech in favour of the Hare system, and ingenious speeches in favour of other systems; and he saw no possibility of arriving at any practical result. For his own part, he was one of the old-fashioned school, and he had never been able to bring himself to admire the notion of turning the electoral system of England into a sort of Chinese puzzle, or selecting Members of Parliament by a sort of double acrostic. That might be a very ingenious occupation for people who had nothing to do; but it would greatly puzzle and confuse the great mass of the electors. He therefore thought it would be more wise for the House to decide at once in reference to the proposal of his hon. Friend, and to proceed with the Business which had been set down for transaction in Committee of Supply.

COLONEL MAKINS said, he could not support the Resolution in its present form, but would accept one directing a Committee to collect information as to the various systems in operation.

Question put.

The House *divided*:—Ayes 102; Noes 40: Majority 62.—(Div. List, No. 217.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

## THE ROYAL CONSTABULARY (IRELAND)—THE CONFIDENTIAL CIRCULAR TO COUNTY INSPECTORS.

### OBSERVATIONS.

MR. CALLAN, whose Notice that he would call attention to the "Confidential Circular to County Inspectors," and move a Resolution censuring the same, stood next on the Paper, said, that although he regretted to lose this opportunity, he did not think it right to proceed with his Motion in the absence of the right hon. Gentleman the Chief Secretary for Ireland.

MR. T. P. O'CONNOR begged to appeal to the Prime Minister to furnish facilities for a resumption, on Monday evening, of the debate on the question of the Irish arrests.

MR. GLADSTONE was understood to say that he could not stop the progress of the Irish Land Bill on Monday night at 10 o'clock. He would, however, agree to report Progress at 12; and then the discussion referred to by the hon. Member might be resumed.

## IRISH FISHERIES.—OBSERVATIONS.

LORD RANDOLPH CHURCHILL, who had given Notice that he would draw the attention of the House to the Report of the Committee appointed by the Colonial Office in 1880 to distribute the grant of £2,000 voted by the Dominion of Canada towards the relief of Irish distress, and to the aid afforded by the Committee to the fishing population on the West Coast of Ireland; and to move—

> "That, in view of the surprising and excellent results obtained by the expenditure of a comparatively small sum of money on the construction and repairs of harbours and piers, and on the provision of boats, nets, and gear, it is expedient, in the opinion of this House, that further assistance should be given for the development of the Irish fisheries, that such assistance should be given from public sources, and should be in the form of a free grant,"

said, that if the Government intimated that it would be inconvenient to discuss the subject in the absence of the Chief Secretary, he would refrain from bringing it forward at present. On two or three occasions previously attention had been called to the fisheries of Ireland; but the House had never manifested any great interest in them, and it had not entertained any large scheme for their development. It had been said on those occasions that there were no actual facts to bring before the House to show that any outlay of money would be remunerative. Now, however, there was some evidence of the return that might be obtained by pecuniary outlay. In the winter of 1879, at the time when very severe distress existed along the West

Coast of Ireland, the Dominion of Canada voted £20,000 for its relief, and the late Secretary of State for the Colonies intrusted the distribution of it to a Committee selected from the two central Relief Committees then existing in Dublin. The Committee came to the conclusion that the proper way to carry out the wishes of the Canadian donors was to expend the money on works or objects that would have a permanent and lasting effect. The importance of harbours and piers on the West Coast of Ireland had long been recognized. For some years it had been in the power of the Government to make grants to localities for the purpose of assisting to construct harbours and piers for the advantage of the coasting population engaged in fishing pursuits. But those grants had been of a very niggardly character. They were limited to about £5,000 a-year from the Treasury; it was stipulated that the locality should provide one-fourth of the sum required, and from the outset the conditions laid down rendered the liberality of the Treasury almost useless. So poor were the people that it was all but impossible for them to find even a fourth of the money for any such works as were required. It followed that the works constructed had been very few in number, and the authorities had been unfortunate in the selection of sites. The Irish Board of Works had failed in this as in other things, and had enforced the necessity for its re-construction. The Canadian Grant was a godsend to a poor population, who were peculiarly situated in this respect, that no amendment of the Land Laws would place them in a satisfactory position, because they could not subsist wholly on agriculture. In the West of Ireland the resources of the people, so far as agriculture was concerned, were deplorable; but on the coast the compensation of nature was remarkable in the great productiveness of the fisheries. Some years ago the Western population derived very great profits from the fisheries. Kelp was also an unfailing source of income; but that trade had entirely failed from no fault of theirs. From year to year the funds which enabled them to provide boats and nets had disappeared. Repairs were not carried out; their boats became unseaworthy, and their nets rotten. He thought the House would gladly recognize the deep debt of gratitude they owed to the Parliament of the Dominion in voting spontaneously a very liberal grant of money for the relief of the poor Irish population. The Committee appointed by the Secretary of State for the Colonies determined to apply this sum of money partly in the erection of piers and harbours, and partly in the provision of boats, and nets, and fishing gear. With regard to piers and harbours, the greater number were either completely dilapidated or out of repair. They were fortunate enough to secure the assistance of Dr. Brady, who was most enthusiastic in his devotion to the cause of Irish fisheries. That gentleman gave himself heart and soul to the distribution of the grant. His information was always of the most reliable character, especially as to the localities on which they should expend their money in providing piers and harbours, and they were able to contribute more than 24 piers. The Committee provided the one-fourth required to be advanced by the locality, and the Treasury advanced the other three-fourths. But the Treasury made an additional grant, and instead of the usual £5,000, they made a grant last year of £45,000, which had enabled a very large number of works to be commenced. He regretted, however, to say that the Treasury, with that extreme prudence and caution which were, perhaps, right at the time when great demands were made for Irish distress, had given the House to understand that this £45,000 was an accumulation of the grants for nine years to come, so that Ireland would have to go so long without any grant from the Treasury for these harbours. He hoped the Government, on re-consideration, would not adhere to this resolution. The Committee had been able to contribute to 24 piers. There were 79 other applications for improvements to harbours, for many of which other resources were available; but in consequence of the insufficiency of the Government grants they could not be proceeded with. The total cost of the 24 piers was £55,000, and the estimated cost of the 79, which the Committee, after careful investigation, thought absolutely necessary, and to which the localities were willing to contribute, was £181,000. The works appeared to have been carried on very carefully and satisfactorily, some by the Board of Works and others by contracts, They were not completed; but the Committee reported that when completed they would be of the greatest possible value to the population, and would stimulate the fisheries very much. If hon. Members had been on the West Coast of Ireland, on the tremendous coast of Donegal, for instance, as his right hon. and learned Friend opposite (Mr. Law) had been, they would understand that, with the terrific gales on that coast, unless shelter was provided, men could not be expected to run the risk that would have to be incurred. The richness of the Irish fisheries had been brought out by the Committee in the most remarkable way. In some localities the Committee said that each canoe returned laden with mackerel from 50 to 80 dozen in each. There had not been so heavy a fishing for years. They also said that for miles along the coast of Clare there were no nets among the fishermen until they provided them. According to their Report, one boat realized £60 in three nights, and the cost of the boat was only £12. In another locality, where nets were given to 50 fishermen at a cost under £200, in four weeks over £1,200 worth of mackerel were sold. These poor Irish fishermen had for years been prevented from going to sea by the paralyzing effects of a poverty which had grown on them year by year; but the tiny aid which had been given by means of this fund in various parts of Ireland had done great good. If the Government were anxious to do good on a large scale there were results to encourage them. The men went to sea regardless of weather, and were so skilful as to make enormous captures. The first necessity was the provision of harbours for the population of the West Coast. If the Government wanted to effect any real improvement they must not proceed at the rate of £5,000 a-year, as they had been doing of late years; but they must set aside a very considerable sum for the scientific construction of harbours all over the West Coast, and there was no question but that the outlay would be highly remunerative. He would recommend an absolutely free grant for the purpose, and he was perfectly convinced the arguments in its favour were very strong. It was said that the liberality of Liberal Members extended only to dividing among Irishmen the property of a particular class. After all, the sum he asked for was not very large, considering the enormous resources of the country. His own idea was that at least £250,000 might be expended on Irish fisheries in a manner that would be exceedingly popular, judging from the results of much smaller loans. About the population of the West Coast of Ireland there was something very remarkable. Probably the Attorney General for Ireland had seen the Reports of the Irish Fishery Inspectors. If so, he could not have failed to notice that the Inspectors, whose visits made them acquainted with the fishing population all round the coast, invariably spoke of them in the highest terms as peaceable, orderly, and well-conducted, even in the disturbed districts. In short, while the difficulties of the country were wholly caused by the attitude of the agricultural population, the fishermen were worthy objects of liberality. It would be understood, of course, that if piers were constructed by means of a free grant of money, a small tax should be levied on those using them in order to keep them in repair. But piers were not all that was wanted. He had also to advocate a grant that was not equally defensible from a business point of view. It would be useless to provide piers and harbours for men who had no fishing-gear, and who were too destitute to buy it. In this case, however, a much smaller sum would suffice, or, rather, would be more than sufficient. He had good authority for saying that £50,000 would do a great deal of good in supplying proper fishing appliances. At present the fishing people were in a condition of extreme poverty. Their misery was undeniable, and had been caused by no fault of their own; and the remedy that he suggested had also been indicated by the Duke of Edinburgh as the result of his experience while distributing *The New York Herald* Relief Fund among the people of the West Coast. Considerations of political economy might, no doubt, be urged against the grant; but political economy had been banished to Jupiter and Saturn, and it would be hard indeed if it were recalled from those heights as an argument against needful liberality. It was to be borne in mind that the distribution of the grant would be a very easy task. The Coastguard officers and the parish priests would be able to furnish certificates stating the names of the individuals who were in need of some such State system as he had described, and it could be arranged that a certain sum should be paid back by the fishermen themselves out of their profits. If a grant were made on such a scale as he had suggested a most important supply of fish would, doubtless, be brought into the English market. There was already a fair extension of railways to the West Coast of Ireland, and there would be little difficulty in getting the fish to the market. At present there were three times as many English as there were Irish boats—to say nothing of French boats—gathering this valuable "harvest of the sea," which was the property of Ireland. If the people on the West Coast had the appliances by which they could become accustomed once more to the management of boats and to marine exercises, and if the Admiralty were to place one or two training ships on that coast, a most valuable recruiting ground would be provided for the Navy. In conclusion, he was sorry he could not ask the House to come to an absolute decision on his proposal at the present moment; but, on the other hand, he had been glad to avail himself of this opportunity of bringing the subject before the House.

MR. O'SHEA said, he could corroborate the character which the noble Lord had given the fishermen on the West Coast of Ireland; and he thought there was no part of it which showed more clearly the advantage of such a proposal as that now made than the district at the mouth of the Shannon. Before the Canadian Grant to the fishermen there, the fishermen in the neighbourhood of Loop Head were in the most dreadful poverty. To-day he had had a a letter from the parish priest, Father Vaughan, who was regarded as the father of the fishermen in that district, and he told him the poor people there were getting on well this year, and, as an instance of this, he wrote, "their rents are nearly all paid." The rev. gentleman pointed out that in the district there had been caught this year £100,000 worth of fish; but this quantity had been nearly all caught by English and French boats. At the same time, the canoes in which the natives fished had done extremely well. Although the people were poor, they were extremely honourable, and he (Mr. O'Shea) knew instances in which they had repaid loans in the most unexpectedly prompt manner. It was impossible for those who had not been on the West Coast of Ireland to understand the great difficulties which fishermen there experienced. He must offer his testimony to the numerous services of Mr. Brady on the West Coast of Ireland. It was marvellous how that gentleman had devoted his time for months past for the good of the fishermen on that coast; and he could assure the House the gratitude of the men towards him was very deep. He sincerely hoped some means would be taken by the Government to show they were not insensible of Mr. Brady's services.

MR. BLAKE said, he would not trespass upon the House beyond a few minutes, because he had given Notice of a Motion on the subject of the Irish Sea Fisheries, and he could state his views fully when that came on. The noble Lord, to whom too much credit could not be given for the admirable manner in which he had introduced this matter, had spoken about the Canadian Fund. That fund could not have been so advantageously made use of if it had not been for the exertions of his late Colleague, Mr. Brady, who, at great sacrifice to his comfort, had worked at its distribution most laboriously, zealously, and efficiently. The noble Lord had not time to touch upon the benefits conferred on the maritime population by another fund. As many hon. Gentlemen were aware, there was a sum of £40,000—the residue of a charitable fund raised some 40 years ago—which, during the Viceroyalty of the Duke of Marlborough, it was determined to use in granting loans to the Irish fishermen. In six years £32,000 had been advanced, and £20,000 had been repaid. There was overdue for arrears £856; but the greater portion of that sum was in course of repayment. In a couple of years the whole amount would be repaid. He himself, as Inspector of Fisheries, was engaged in the distribution of that fund. They could have advanced advantageously 10 times as much as they had at their disposal. In the county of Galway he had, the first year, only £1,400 to advance, while £20,000 was applied for. That, of course, was an excessive figure; but he believed, had he had £10,000, it would have been usefully employed. The expenditure, according to the noble Lord, of the Canadian Fund, had been attended with the most beneficial results, for the amount of fish captured was 50 times greater than it would otherwise have been. Only eight counties in Ireland had the benefit of the Reproductive Fund. It would be of the greatest advantage if the sum available could be increased, and the eight counties which had been left out, but in which fishing was carried on, could participate in the benefits arising from the advances. There was one thing particularly wanted for the Irish fisheries, and that was a vessel to look out for new fishing grounds and for surveying purposes. Scotland had for a long time been possessed of a vessel—an efficient vessel, under the Fishery Board; but, notwithstanding repeated requests, Ireland had never succeeded in obtaining one. If such a vessel were provided, he was sure much more fish would be caught. Upon the coast of Kerry, as, indeed, upon the coast of different parts of Ireland, vast shoals of mackerel were coming in, and there could be no doubt that if the seas around Ireland were properly fished, the wages and food of the people would be enormously increased. It was a deplorable thing that so magnificent a field of industry as the Irish fisheries afforded should be so much neglected and comparatively unused; and he hoped the earnest and powerful appeal of the noble Lord would have the effect of causing the Government to do something in the direction of taking some steps to render more available the fisheries of Ireland.

Mr. T. P. O'CONNOR thanked the noble Lord for the careful attention he had given to this subject, and said, his excuse for intervening in the debate was that he represented a portion of the country that was more largely affected by the question than, perhaps, any other part of the country—he meant the town of Galway. What must have struck everybody who had visited Galway was the almost appalling rapidity with which the fishing population in the town had decreased. There was no part of the Irish problem that more immediately demanded the attention of Parliament than that of the Irish fishery population. With regard to the loans, the noble Lord had shown, first, that they were profitable; secondly, that they could be granted with security; and, thirdly, that the people fully deserved the loans, and would properly employ them. He had proved that they were profitable, and shown that the comparatively small sum of £11,000 spent on fishing gear had resulted in a profit of, at least, treble the outlay. One of the numerous correspondents who had written on this subject had shown the immense difference there was between the people who had had the advantage of loans and those who had not. In the second place, it had been proved that those loans could be given with security, and he thought that that was a lesson in the direction of further loans from the State. On this point he could speak with a certain amount of local knowledge, because in a village just outside Galway a large number of loans had been granted in the course of nine years, and he was sure that an instance was unknown of anything like a breach of engagement by those to whom the loans were made. One of the most painful difficulties that had occurred to his mind upon this question was that somehow or other it seemed very hard to find out how the wishes of the people could best be met and their interests best advanced. One of the difficulties was that the population were rather backward; and owing to their antagonism to anything like innovation, and in order to relieve people, especially people of the unlettered class, the State must not only give relief, but they must give them relief in such a way as to secure the co-operation of the people themselves. The people in some parts of Ireland had had considerable difficulty with the persons sent to deal with them through a want of sympathy and a true knowledge of the way in which to deal with those people. It was from no want of zeal or industry on the part of the fishing population that they did not make use of such opportunities as were placed at their disposal, for he found that the Connemara men engaged in lobster fishing were sometimes found hundreds of miles away from their homes, living for weeks together in a small boat under the shelter of an old sail. It was true that that showed in a way that the people had not yet made much progress in the best means of utilizing their opportunities, because with better management they might, perhaps, have been more comfortable in their fishing operations; but when they were found spending weeks in an open boat, and travelling hundreds of miles in pursuit of their occupation, it was a strong proof that they were perfectly willing to spare themselves no trouble to gain such advantages as their opportunities gave them. He had been told of a remarkable instance in his own constituency of the difficulties placed in the way of developing the fishery industry in Ireland. There was a place where a harbour was very badly wanted, and his hon. Friend the Member for Waterford County (Mr. Blake), when he occupied an official position, had recommended the construction of the harbour, and the local landlord was willing to give one-fourth of the money required. The harbour was also recommended by the Board of Trade; but those were the halcyon days when one who had since been removed to a higher sphere, under the title of Lord Sherbrooke, was the disposer of the finances of this country, and when the proposal came before Mr. Lowe it was with a single stroke of the pen dismissed. No reasons, he believed, were given for the refusal; and this place still remained without a harbour. Thousands of pounds a-year were in that way kept from the fishermen in that district. He wished to guard himself against the expression of any opinion which would subject him to the charge of believing in Government encouragement to trade in any country. His opinions were rather in the other direction; but he thought this was a case in which it was the duty of the State to largely foster the industry of the people.

Colonel COLTHURST said, he might mention the case of a village at Cape Clear as an instance of the development of fisheries through the system of loans granted by the Baroness Burdett Coutts. Three or four years ago there were only nine boats there; but now the people had 25 boats. Those loans certainly were granted without interest, and when they were repaid, as they had been punctually, they were thrown into a fund from which loans were granted to other people; but he was satisfied that the people who took those loans without interest would be willing to pay the Government a small amount of interest. With respect to piers and harbours, a change in the present system was, no doubt, required. In the present system the locality interested demanded a grant; but before the Treasury would commence the work the district had to raise a certain amount of the money required. He thought the system ought to be reversed, and managed by the Commissioners of Fisheries, who might decide where harbours might most suitably be constructed, and could carry out the work irrespective of the local contribution. There were long stretches of coast in the county of Cork where there was no sort of harbour; but the Commissioners, if they could act, would find good places for harbours. Then, with regard to the loans from the Reproductive Loan Fund, they only amounted to about £800,000; and when the House considered the three bad years which Ireland had experienced they ought to be ashamed of that amount. The fund ought to be entirely re-organized.

Lord FREDERICK CAVENDISH regretted that, owing to the absence of the Chief Secretary, it had devolved upon him to take part in this discussion. Time was valuable, and he should have been glad if, instead of this long discussion, they could have been providing the money for the year's expenditure; but he admitted that the noble Lord the Member for Woodstock (Lord Randolph Churchill) had done well by calling attention to the good work done by the Canadian Committee. He thought we owed a tribute to the generosity of Canada, and to the gentlemen who had administered the liberality of Canada so beneficially and so well. His only complaint against the noble Lord was that, whilst calling attention to the subject, he did not seem to have given very close and minute attention to it himself. Anyone studying this question would have avoided the singularly incorrect statement in the Resolution as to the amount of the Canadian Grant, and also the conclusion of the noble Lord as to the conditions which were now attached to loans. Again, the amount of money lent was not so small as the noble Lord thought. He had given a marvellous instance of the results of the money advanced by the Canadian Committee. The conclusion which occurred to him (Lord Frederick Cavendish) was that, as few, if any, of the fishery piers to be provided by the assistance of the Canadian Grant were as yet completed, they could not as yet have been of any assistance to the fisheries; yet, in spite of that, there had been the marvellous development, in bringing to the coast large shoals of fish this year, of which the noble Lord had spoken. He thought a great deal of that development was due to the merciful interposition of Providence rather than to the expenditure of loans. Then, if it was true that the money had earned 500 per cent in a few days or weeks, how came it that fishermen generally were in the deplorable state described? The noble Lord had complained with severity of the niggardliness of the advances which Parliament had made for many years in aid of the fisheries; but those grants were very much larger than those made for the similar industry in Scotland; and the conditions which the noble Lord had so bitterly complained of simply consisted in asking that the locality benefiting should show some interest by contributing one-fourth of the cost. And how had that engagement been fulfilled? Was it unwise for the State to take some precautions to prevent the money it spent being absolutely wasted by the neglect of those to whom it was intrusted? He feared that the expenditure of £5,000 a-year had, so far, resulted in but little real gain to the fisheries; and he was not quite so sanguine as the noble Lord as to the expenditure of further sums. The noble Lord asked the Government to make a grant of public money for the purpose of developing the Irish fisheries. This year's Estimates included a grant of £28,000, irrespective of the ordinary grant; and he thought they had better see the result of the expenditure of this large sum before embarking upon any further undertaking in this respect. The noble Lord wished, also, that grants should be given for the purpose of providing the fishermen with nets and boats; but many of the hon. Gentlemen who had supported him had not gone so far as that. He would ask a question of the noble Lord. Why should this particular industry be singled out for State favour? They might just as well, and with equal propriety, find money for the development of agriculture. He held that the State would incur very considerable responsibility if, by offering grants, it induced men to enter on this trade, which he believed was a very precarious one, inasmuch as it greatly depended on the seasons. He did not know whether the noble Lord had read all the Report to which he had referred; but if he had done so, it was wonderful that he had escaped the warning which its pages gave as to the danger of the proposed generosity of the Government—if they called it generosity—being abused. In the Report of Mr. Brady, and of the Canadian Committee, attention was strongly drawn to the difficulty of selecting cases in which to make grants. They stated they were flooded with applications; but, upon investigation, many of the applicants turned out to be improperly recommended. If this were the case with a Committee of gentlemen administering a voluntary fund, was there not a likelihood of a greater abuse if a grant were made by the State? Every locality would think it right to get as large a share of the plunder as possible. But whilst he thought it would be unwise for the State to embark upon the experiment, he considered the Canadian Committee had done good by the example it had set. It had shown how money might be applied by the liberality of individuals; but he hoped he had explained the detrimental results which would follow if the State attempted to foster by direct grants a particular industry.

Mr. GIBSON said, his noble Friend the Member for Woodstock (Lord Randolph Churchill) had done very valuable service in bringing this extremely important Irish subject under the notice of the House; and, bearing in mind the difficulty of the position of those in charge of the Treasury, he did not think it could have been expected of the noble Lord opposite to say much more than he had just addressed to them. They could not expect the Treasury to be anxious to make grants for every purpose; but, at the same time, it must be borne in mind that the Irish fisheries presented immense opportunities for a great fishing industry, and that now they were not as prosperous as they were some years ago. It was quite true, as stated by the Secretary to the Treasury, that it was impossible to be sanguine as to every proposal made in this matter; but he did hope the Irish Members and people interested in the question might regard the speech of the noble Lord (Lord Frederick Cavendish) as indicative of an earnest desire on the part of the Government to foster and encourage the fisheries of Ireland in every legitimate way. They must look at the matter rationally, practically, and with a discriminating eye; and he thought they might expect the Government would do everything they possibly could to develop this great Irish industry. It would be unreasonable to ask the noble Lord or the Government to say very much more on the present occasion, particularly at this hour; but he trusted, when the matter came again before the House, it might do so at an earlier hour, so that they would have the opportunity of considering it at greater length.

MAJOR NOLAN said, there were one or two points which the noble Lord the Secretary to the Treasury had overlooked. Ireland contributed to the Imperial Exchequer £3,000,000 a-year over and above the amount spent in Ireland; and, therefore, it was not unreasonable for them to ask a very small portion of this money for the development of their fisheries. Furthermore, the English people altogether forgot they had crushed all organization in Ireland for the last 150 years. It was only for the last 30 years they had had Corporations and Farm Commissioners, and as yet they had no county organization. The English aristocracy had carefully crushed out all means of organization in Ireland. At this moment Ireland, which in reality had great industrial resources, was suffering from former oppression and present neglect, and until the Government did something to remedy such a state of things it was not fulfilling its duty.

MR. T. D. SULLIVAN would not have risen to take part in the debate but for the concluding words of the noble Lord the Secretary to the Treasury. The noble Lord devoted a great portion of his speech to showing what a great mistake it would be for the State to expend any money upon piers and harbours in Ireland, and upon nets or boats, or upon anything which would tend to develop and encourage Irish fisheries; but he wound up by telling them that it would be an excellent thing for foreign Governments and charitable and benevolent individuals. How did it happen that what was not befitting an English Government was noble and good on the part of the Canadian Government? So much for the development of Irish industry under the fostering rule of the British Parliament and a Liberal Administration. Charitable ladies and gentlemen would do exceedingly well to come and do for Ireland what the British Government and British Exchequer thought very wrong on their part. The sum of money sought by the noble Lord (Lord Randolph Churchill) was very small; but, nevertheless, it was refused. He had often noticed that millions of money were readily granted to carry on some disgraceful little war in some distant part of the world, or in pursuit of a scientific Frontier; but when it was proposed to foster a native industry in a country which had been oppressed by British rule the question was too large to be considered, and a vast number of objections were taken on the score of political economy and other things. The present question had been met on the part of the Government in a very paltry, ungracious, and niggardly manner. They did not want to take away anything from the pockets of the British taxpayer; but this was a question on which they missed the care of a native Government. Under self-rule in Ireland, 12 months would not elapse without a liberal outlay, which would be fully justified and repaid in a short time. If the British taxpayers would leave them to manage their own resources and use their own money and credit, they would not ask a farthing from England; but while they were oppressed and impoverished they might fairly claim that the British Treasury should give them that small instalment of justice. The case had been powerfully stated, the arguments were conclusive; but the case had been met in the manner in which such proposals usually were.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

## SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

MR. CHILDERS: My noble Friend the Secretary to the Treasury (Lord Frederick Cavendish) does not propose at this hour to take the Civil Service Votes, which, of course, would involve some debate; but I beg leave to ask the Committee to take the Vote for provisions, fuel, and transport in the Army Estimates, as that does not involve any contested matter. It is very important that we should, if possible, take that Vote now in order to have sufficient Supply, and later on, after the Irish Land Bill is disposed of, we may devote a whole of one or two evenings to the discussion of the Army Estimates, without having to take the items of this Department later than 10 or 11 o'clock. If the Committee will allow me to take this Vote, which does not involve any of the questions of Army Organization, I will undertake that the other Votes, which do involve questions of principle, shall be taken at such an hour as shall enable the House to discuss them fully. The only object we have is to enable that discussion to take place at a convenient time, and I trust the Committee will allow this Vote to be taken.

Motion made, and Question proposed,

"That a sum, not exceeding £3,411,000, be granted to Her Majesty, to defray the Charge for Provisions, Forage, Fuel, Transport, and other Services, which will come in course of payment during the year ending on the 31st day of March 1882."

Colonel STANLEY: These Benches are not much occupied at the present time; but, speaking for those who sit round me, I may say there appears to be nothing at all unreasonable in the proposal the right hon. Gentleman has made, and we shall do our best to support him. The House has already voted the number of men, and the establishments of the Services, and the right hon. Gentleman now merely asks to be allowed to take the Votes necessary to keep those establishments in existence. That seems a fair proposal, and although it would be too much to say of any Vote that it involves no controversial matter, yet after the assurance of the right hon. Gentleman that on other matters, which involve organization and questions of change, there shall be fair discussion at a future time, the proposal seems to me to be altogether reasonable.

Mr. ARTHUR O'CONNOR failed to discover any grounds for the right hon. and gallant Gentleman (Colonel Stanley) taking upon himself to answer for that side of the House. [Colonel Stanley: I said—"Those who sit round me."] He (Mr. Arthur O'Connor) thought there was very good reason to object to the Vote being taken at that time. It was a Vote for £3,411,000, and it appeared to him a monstrous proposal that it should be treated as if it were a mere flea-bite, and that they should vote nearly £3,500,000 as a matter of course, without inquiry, simply because the House had voted the number of men. He entirely objected to the proposal, and he should move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur O'Connor.*)

Sir WALTER B. BARTTELOT said, the alternative course seemed to be, if the Committee did not take that Vote, that they would have to give a Vote on Account. The only question he wished to ask was, whether the Vote contained the necessary sums for carrying on the war in the Transvaal? He presumed that it did; but he also presumed that the right hon. Gentleman would have to come presently for a Supplementary Vote for that war. That being so, and seeing that this was the Vote they usually had to pass, and that, in his humble judgment, it would be far better to give the Vote as it stood than to give a general Vote on Account, which was not usual on Army Estimates, he should support the Vote.

Mr. CHILDERS said, the hon. and gallant Baronet was right. This was the ordinary Vote, and, of course, it would be necessary to bring in a Supplementary Vote as to transport in South Africa. He had selected this particular Vote as the one least open to discussion; but he would pledge himself that the House should have ample opportunity, not at a late hour, but at the beginning of a Sitting, for discussing Votes which raised questions of importance.

Sir ALEXANDER GORDON reminded the Committee that a Vote of £3,000,000 would enable the Government to go on without other Votes till a late period, and the House would probably at the end of the Session be asked to give further Votes, and then adjourn at once. Would the one or two nights promised be given before the new Warrant for Army Organization, to which the Army were looking forward with such apprehension, came into operation? What the Army and the country wanted was more detailed information on the important changes about to take place, which were carrying dismay into the hearts of all the old officers in the

Army. No doubt they would be all right; but the Army wanted to know, and it would be a great misfortune if the new Warrant came out on the 1st of July without the House having an opportunity of getting information upon it.

MR. CHILDERS assured the hon. and gallant Member that he would lay on the Table, not at the end of July or the beginning of August, but as soon as the details were completed, full and ample information. Then, as to the further Votes, he should not allow the fact of this Vote being taken now to delay the other Votes for a single day. The Army Estimate Votes could not be taken until the Land Bill had been dealt with; but he would undertake that the original intention of bringing on those Votes at the very earliest day should be adhered to. The House should have the most ample opportunity of discussing them.

MAJOR NOLAN wished to point out the inconvenience of taking this Vote at such an hour without a special undertaking. The custom was to take a first Vote for £5,500,000, and that opened up all questions as to the men for the Army. This Vote preceded a long discussion on the whole details of the Army, and all those points would have to be dealt with on another Vote. By giving one Vote in Committee they would be unable to raise any general discussion at all, unless the Government would agree to allow it on other Votes under which general questions did not strictly come.

SIR HENRY FLETCHER said, he did not intend to offer any opposition to the Vote, because he considered it most important. It was connected with forage and fuel and transport, which must be provided for as soon as possible. He hoped the Committee would support the Secretary of State for War, and pass the Vote. They had had an assurance from the right hon. Gentleman that they should have an opportunity on the Estimates of bringing forward all matters connected with organization, and he hoped the Committee would allow the Vote to be taken without any further debate.

MR. O'SHEA asked whether the details of the new organization would be before the House before that scheme was carried out?

MR. CHILDERS said, the details in the second Memorandum would be laid on the Table before the new scheme was carried out—in fact, in a very few days. Whether the discussion could be taken before the 1st of July he could not say, because that would depend on the progress made with the Irish Land Bill.

MR. O'SHEA: Will the House have an opportunity of expressing an opinion upon it before it comes into operation?

MR. CHILDERS: Certainly.

LORD RANDOLPH CHURCHILL said, he did not think the answer of the Secretary of State satisfactory at all; and, as a general rule, when there was this agreement between the two Front Benches, he thought it was the bounden duty of hon. Members below the Gangway to oppose the Government. Nobody knew better than the hon. Member for Swansea that the Government had all sorts of little arrangements—a kind of Masonic practices, only known to themselves, and only to be detected when the two Front Benches agreed. That agreement was the only intimation independent Members had that they had better be upon their guard. On that ground he should offer some resistance to the Vote. Another point that he considered objectionable was that the Secretary of State, having already had £4,500,000, should ask for the enormous sum of £3,500,000 at this hour of the night for a certain purpose, when he did not intend to apply the money to that purpose. The money was got under a name that would apply to all sorts of things, and therefore the money was being obtained under—well, not being obtained for the real purpose set before the Committee. The general principle on which the Government proceeded was thoroughly unsound, and one which Liberal Members would not agree to if a Conservative Government were in power. That was that every Vote of Supply, every English measure, every mortal thing that came before the House, had to be put off indefinitely until the Irish Land Bill had made progress. That was thoroughly wrong, for the Land Bill might not leave this House till the end of July or the middle of August.

MR. A. J. BALFOUR said, he must point out to his noble Friend that there were exceptions to the best established rules; and it was within their experience that the two Front Benches had been right when they agreed. He thought this was one of those occasions, and he should support the Government if they went to a division. He thought it would facilitate matters if the Secretary of State would assure the Committee that he would not take any Vote later than the middle of July.

Mr. CHILDERS assured the hon. Member that he would not postpone the Army Estimates one single day beyond what was necessary; but, for the general purposes of the Government, he would have to ask their forbearance.

Sir ALEXANDER GORDON quite agreed that these collusions between the two Front Benches were dangerous things. The fact was that the ex-Secretary of State for War had prepared a scheme which his own Government would not bring into operation, and he had put it into a pigeon-hole in his Office, and the present Secretary finding it there now asked the House to sanction what the late Government would not do. He thought the late Government were quite right, and showed great prudence; but the right hon. Gentleman had not stated whether the House would have an opportunity of expressing its opinion on the new organization before it came into operation, and he wished they could have an assurance to that effect.

Colonel STANLEY said, he wished to disabuse the mind of his noble Friend and some others of the idea that there was necessarily any arrangement be- the two Front Benches on this occasion. What caused him to deprecate undue discussion was that the House, having already voted the men and material of the Army, would stultify itself if it refused to allow the head of the Army to carry out the previous Vote. But he thought the right hon. Gentleman would facilitate the progress of the Vote by letting the Committee understand that, not only so far as he was concerned, but so far as the Government were concerned, there would be an opportunity for discussion before the Regulations of the 1st of July were acted upon.

Mr. CHILDERS said, he would repeat the assurance he had already given that he would not delay by one single day these Estimates, and that he would do his very best to get them before July. He did not think he could be more explicit than that.

Mr. ONSLOW said, that on this occasion he should support the noble Lord. Night after night these Estimates were pressed upon them at a late hour, because of the Irish Land Bill. They were voting away the money of the people of this country, and that was what they ought to consider long before the Land Bill, which would do no good at all. In the meantime, however, he wished to know if this Vote included the cost of transport in the recent operations in the Transvaal. If the right hon. Gentleman assured them that the Vote was absolutely necessary, he would not oppose it; but he had not told them so. He deprecated this hasty way of voting £3,500,000. It was a course which the Liberal Party would never allow others to follow, and the right hon. Gentleman knew very well that he would oppose such a course, and had opposed it when it was proposed by another Government.

Mr. CHILDERS said, he had never objected to any Vote of this kind when it had been declared to be necessary for the Public Service. The charge with respect to the Transvaal was for troops who had gone out in the early part of the year, and the other matters there would be an opportunity of discussing.

Sir R. ASSHETON CROSS said, the Secretary of State had told them that this Vote was necessary, and on that ground he should support the Government. It was not in the least from any agreement between the Front Benches, but because it was absolutely necessary to carry on the Services of the country. A word about the Civil Service Estimates. It was an enormous temptation to the Government, especially when they had got a heavy Bill before them, to put off the Estimates to the latest possible time. He understood they were going to ask a Vote for six weeks on account for the Civil Service Estimates; and he understood, from the peculiar circumstances of this year, that that Vote would be granted to them. But he wanted to give the Government warning that they were not to expect another Vote on Account, and, having had the indulgence of the House so far, they must not ask for that indulgence again simply because they had a Bill before them which must go on. He should oppose any further Vote on Account, because it was time they resorted to the old practice, and that the Votes for the Civil Service and also for the greater Services should not be put off to a late period. He admitted that the right hon. Gentleman was right in saying that under the previous Government he had never opposed a Vote which was declared to be absolutely necessary for the Public Service. At the same time, he was bound to say that when the late Governmerment did ask for Votes on Account they were opposed by a great number of hon. and right hon. Gentlemen, and were requested to give up their Bills and go on with Supply.

MAJOR NOLAN said, he thought a good deal of the money expended on transport at home was wasted. There was £116,000 for the escort of prisoners, and his own experience was that there were more escorts going about than were necessary. This employment took the men away from drill and cost the country a great deal of money, and very often persons were taken up for deserters who were not deserters at all. If attention were called to this, several thousands of pounds might be saved. It often happened that men who were merely absent without leave were arrested and sent under escort. A large number of Roman Catholic men were sent out without any chaplain; and although the late Secretary to the Admiralty promised that when there were a large number a Catholic chaplain should be sent out with them, he (Major Nolan) believed the promise had never been executed, and he would like to know whether that was so or not.

MR. CHILDERS said, his attention had been drawn to the question of deserters, and as to the Roman Catholics he would take care that when there were a large number sent out, a Roman Catholic chaplain should be sent with them. A promise to that effect had been given in general terms, and in one case a Roman Catholic chaplain was sent with a troop-ship this year to South Africa. He believed that what had been done had been entirely satisfactory to those who looked after that question. The troop-ship expenditure did not come under this Vote. It was an Admiralty Vote.

MAJOR NOLAN did not think the promise as to chaplains had been fulfilled, and he urged that if men of other religions had chaplains, the Roman Catholics should.

COLONEL STANLEY said, that to the best of his recollection the promise was given, not by himself, but by the right hon. Gentleman the then Chancellor of the Exchequer; but when the matter was looked into it was found to be impracticable. At the same time, as far as he was aware, the question had not been lost sight of.

MR. HEALY reminded the Committee and the right hon. Gentleman (Mr. Childers) that some of the Irish Members wished to discuss the presence of soldiers in Ireland assisting in evictions. They could not attempt to do that at so late an hour, and if the right hon. Gentleman would give them an assurance they would be willing to waive the matter then. There was, however, another matter. Public feeling in Ireland was very high; there were Irish soldiers there who sometimes went out on the spree, and cheered Irish leaders. For that exceptional sentences were inflicted, and there was one case in which a young man of the 18th Royal Irish was sentenced to 12 months' imprisonment. The Irish Members would also like to discuss the conduct of the Guards in Dublin, which was, beyond all doubt, a disgrace to the British Army, and a standing menace to every peaceful citizen in Dublin. There was a case the other day in which two or three of those roughs had knocked down and beaten a man, and the man could get no satisfaction; and there was the celebrated case of the man who was thrown into a canal by some Army Service Corps men and nearly drowned. There was a series of these cases, and, seeing the way in which troops were being poured into Ireland, and how careful the Government were that they should be English soldiers, it was important that the right hon. Gentleman should keep a strict watch over them. And when the right hon. Gentleman introduced Votes, it would be well if he would bring them on at a reasonable hour, so that they might be discussed.

MR. CHILDERS said, the general points raised by the hon. Member might be dealt with on Vote 3; but he could assure the hon. Member that there was not, either on the part of the officers or of the superior authorities in Ireland, any desire to screen any soldiers who might commit any improprieties such as had been described. On the contrary, when such cases had come before them, they had rigidly dealt with them. It was not the case that the soldiers had been severely punished for cheering; but in one of the cases referred to the man had used language of a most treasonable character, which could not be passed over. The wish of the Army authorities was that discipline in all respects should be maintained. In regard to the case of the man thrown into a canal, the man appeared not to be sober, and when he was asked to pick out the men who had assaulted him he could not identify them. He did not know what more the authorities could have done than they had done in that case.

Mr. P. MARTIN said, he was interested on behalf of some of the Militia Staff-sergeants in Ireland, who considered themselves ill-treated; and he was anxious to know more definitely when the Army Scheme would be brought under the attention of the House. He would not go into the details of the grievances of these men; but he would ask the right hon. Gentleman, in consideration of his not doing so, to give some precise statement as to when the scheme could be brought before the House, so that there should be an opportunity of discussing the grievances, and urging them upon the House.

Mr. CHILDERS had had no intimation of the grievances; but on Vote 5 he would give the hon. Member the fullest opportunity of discussing them. At present, however, he was not aware of the special points to which the hon. Gentleman referred.

Mr. ARTHUR O'CONNOR considered it obvious that the Committee was not then in a condition to pass this Vote. Here was an hon. Member appealing to the Secretary of State for War for an assurance about something, and when the Committee tried to ascertain what it was upon which he wanted an assurance they found it had nothing to do with this Vote. This was simply because the Vote had been suddenly sprung upon the House, and when not a Member of the Government had a copy of the Estimates in his hands. The right hon. Gentleman had had more than one-third of the Effective Vote voted to him, and he said he should have another £3,500,000; and he proposed that the discussion of the Army Estimates should go on in the beginning of July. From the 1st of April to the 1st of July was only three months, and he could not in that quarter have spent £4,500,000. The statement, therefore, that the money was absolutely necessary now would not bear investigation. He would further remind the right hon. Gentleman that he always had balances of millions under the control of the War Office. He did not seem to be so well acquainted with the details of his Office as he might be. At the end of the Appropriation Account in any year he would find in detail the account of all the balances standing to the credit of the War Office at the end of September, and he would find that these balances invariably amounted to £12,000,000 or £15,000,000. He did not say that all these moneys were immediately available for every purpose; but over and above the £4,500,000 he had had voted to him there were other funds available, and he, therefore, could not want funds, and would not be in want of funds for three months. There was no necessity, therefore, for this Vote. The right hon. Gentleman said he had selected this particular Vote because it was non-contested. It was simply because it was the largest Vote he could ask for. If he wanted non-contentious Votes, why could he not ask for that for Divine Service or for some Non-Effective Service? These were not Votes on which contention could arise; but he wanted this because, having already got Vote 1, if he also had Vote 10 he would have all the money for pay and food and transport, and all the most contentious business connected with the War Office, except stores, would have passed. The question of the transport of troops was one upon which a large amount of discussion might reasonably be expended. Discussion might very properly be raised on such questions as stoppages of soldiers' pay, Colonial losses, fuel, forage, or provisions; and in the Appendix, page 193, there were figures connected with the Transvaal which suggested a number of questions. But if they passed this Vote, how were those questions to be dealt with? When they came to other Votes it would not be in order to discuss the points which might be properly raised on this. He therefore could not accept the right hon. Gentleman's observation that it was necessary that this money should be voted; and even if it were, it was the duty of the Government to have brought it before the House at some more convenient hour. It was now past 2, and it was not right or proper to pass a Vote of £3,500,000 at such an hour without discussion. It had been sprung upon the House without reasonable Notice, and they had no reason to suppose it would be proceeded with until the Civil Service Estimates had been discussed. If it was necessary for the right hon. Gentleman to have money, why not ask for a general Vote on Account? Why not take half of this Vote and leave the other half as fair ground on which to raise discussion connected with the items? Half the money ought to be enough. The right hon. Gentleman did not appear to be able to accept that suggestion. Under those circumstances, he must challenge the Vote, and he did not think he could finish his remarks much before 3 o'clock.

MR. BIGGAR said, the old idea was that no large sums of money should be asked for after 12 o'clock at night; but on this occasion, at five minutes past 1, they were asked for £3,500,000. The right hon. Gentleman said he could not name a particular day on which hon. Members might have an opportunity of discussing questions connected with the Army, the Government having got into a mess with regard to their other Business. Then the right hon. Gentleman said that this money was very much wanted; but the hon. Member for Queen's County had pointed out that that statement was very incorrect, and it was very strange that the Army was in a far better position, as far as funds were concerned, than any other Service. Only two months had elapsed since the Army got £4,500,000—a sum sufficient for four months; so that that part of the case entirely broke down, unless there was something kept in the background. He suspected there were large expenses connected with the Transvaal, and so on, which had to be paid off, and which the Government did not wish to have discussed till their other Business was practically disposed of. He would urge the Committee not to allow this new principle to be introduced of asking for large sums without the opportunity of discussion at this late hour.

Question put.

The Committee *divided*:—Ayes 7; Noes 73: Majority 66.—(Div. List, No. 218.)

Original Question again proposed.

MR. CHILDERS said, in answer to the question of the hon. Member for Queen's County, that he had ascertained beyond doubt that the £8,000,000 balances at the War Office were not at their disposal, and that the money would run out about two weeks or more from this day. Therefore it was absolutely necessary to have this Vote. The hon. Member was a terrible tempter in suggesting that he should take a Vote on Account; but it was understood to be a canon in that House not to take Votes on Account for the Army Service.

GENERAL BURNABY begged to move that the Chairman do leave the Chair. His reason for doing so was that this Vote comprised a great many soldiers' grievances—some of those *shabby* things which the Army were beginning to become alive to. For instance, he should like to know whether in the first item of £1,500,000, for the "Cost of Provisions," was comprised that portion of a soldier's rations which were deducted from his pay? It had been said by a general officer commanding the Home district that the notion that the soldier got his rations free was nothing but a "snare and a delusion." There was nothing which so disappointed a soldier as to find that the lump of meat and portion of bread he got was all he got, and that his evening meal—bread, tea, coffee, potatoes, vegetables, &c., had to be deducted from his pay to the amount of 1*s.* 11*d.* per week. He also should like to know whether, under the head of "transport," was included the cost of a soldier's funeral from the place where he died to the place where he was buried? The sum of 35*s.* had to be deducted from a soldier's effects and savings in the Regimental Savings' Bank, his effects being all his under garments, which the soldier had to pay for, and these were seized by the Paymaster after death, even to the shirt off his corpse, and sold by auction. Then, as to separation allowances for wives and families, he would like to know whether the Vote for "Cost of Provisions" included proper and full rations for those wives of soldiers married with leave and their children, when they were forcibly separated from the soldiers, who were fighting for their country? There were other things upon which the House should have full opportunity of discussion. He found that soldiers had to pay

10*s.* for their own burial fees at the Brompton Cemetery; this went to the clergyman of the parish or district in which the death took place, and 1*s.* to the cemetery was also paid. But he did not see why the military chaplains should not perform the duties without any charge upon the soldiers; and he certainly was of opinion all fees should be paid by the State. Anxious as he was that the Vote should be passed, he thought it had been brought on too late, and therefore felt himself compelled to make his Motion, as his only means of these grievances being made known to the House without loss of time.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*General Burnaby.*)

Mr. CHILDERS explained that the question of troops having additional pay did not arise in any way upon this Vote. It was an entirely distinct question, and he thought the hon. and gallant Member knew that that was so. The question of the cost of soldiers' funerals was one which the Treasury had at this moment under discussion, having been taken up some time ago. That question, however, did not arise on this Vote, and the same remark applied to the matter of the chaplains' fees.

Sir HENRY HOLLAND suggested, in order to shorten this matter, that the Secretary of State should take — say, £2,000,000, and leave £500,000, upon which all these points could be raised; and, in the meantime, the absolute wants of the Department might be met. He must, however, admit that such a course would be unusual, and should not be taken as a precedent.

Mr. CHILDERS thought he had fully explained the points raised, and he observed that the hon. Member, as Chairman of the Public Accounts Committee, must know that if there was anything that Committee set their faces against, it was the taking of Votes on Account for Army or Navy Services.

Colonel STANLEY desired to suggest another course. Before now, when he had been Secretary of State for War, it had been agreed, when Votes were being taken and particular points could not be answered, that the answers should be given on the Report. He had no doubt the right hon. Gentleman would be able to answer all the points before the Report on Monday.

Mr. CHILDERS said, he had not the least objection to that course, although he thought he had answered every point that had been raised. He was most anxious to meet the objections of any hon. Member.

Mr. ARTHUR O'CONNOR said, he was afraid the Irish Members could not assent to the suggestion, because a discussion on Report was a very different thing from a discussion in Committee. Although they had been prepared to go on with the Army Estimates in the ordinary way, they had no reason to expect that they would be suddenly called upon to discuss this Vote 10. But they were prepared to raise such questions as the right hon. Gentleman would not be able to dispose of in an hour or two. He was prepared to contest every penny voted for the transport or other expense connected with the service in which the troops were being employed in Ireland. He could not find words sufficiently strong to condemn that service, and he would be no party to voting money for it, unless they got an assurance such as would show that they were justified in allowing the Vote to pass. Then there was the question of transport to other parts of the world, and that opened up large considerations which could not possibly be adequately discussed at that late hour. The public could not know what took place, and it was very unfair that the Government should insist on going through the Division Lobby.

Mr. BIGGAR held that the proposal of the Government could not be defended, and said he could not remember an instance in which the late Government had insisted upon taking money at such an hour. The taking of Votes of public money should be in the presence of the representatives of the Press, so that what took place could be made known. If the criticisms upon Votes were not made known to the public, they might as well be passed with closed doors; and for Ministers to suppose that the discussion was to take place without being known to the public was a thoroughly untenable proposition.

Question put.

The Committee *divided*:—Ayes 6; Noes 65: Majority 59.—(Div. List, No. 219.)

Original Question again proposed.

Mr. CHILDERS said, he had been carefully considering whether it was possible, consistent with the financial Rules—and after careful consideration and consultation with his right hon. Friends around him he thought he could make a promise, without any grievous breach of Rules—that the hon. Member might raise a discussion on the question of expenditure in connection with the Army in Ireland on other Votes. He would take care that that could be done. [Mr. Arthur O'Connor: What Vote?] Not only as to transport, but as to recent expenditure of the Army in Ireland. He would not introduce any technical difficulty.

Mr. ARTHUR O'CONNOR said, the objections he proposed to raise in regard to the Irish portion of the Army, or rather that portion of the Army in Ireland, was an objection which covered a great deal more ground than was covered by the question of transport. He objected altogether to that portion of the military system which was known as the relief system.

Mr. CHILDERS said, that question did not occur on the present Vote, and the hon. Member would have the fullest opportunity of discussing it.

Mr. ARTHUR O'CONNOR said, they could not separate the relief system from the question of transport. If they brought soldiers from one part of the country to another they must necessarily expend a certain amount of money in the transport.

Mr. CHILDERS said, what he said was that they could raise the question of what the hon. Member called relief on three or four other Votes.

Mr. ARTHUR O'CONNOR said, the difficulty was this—he had watched the proceedings in Supply with great care for some time, and he had seen more Members disappointed in their intentions in offering observations on particular branches of the Public Service by rulings from the Chair, with regard to the particular Vote on which they ought to offer their observations, than in any other way. The movement of troops was a subject that properly belonged to that Vote, because it was a Vote under which they supplied the funds which went to pay for those movements; and, as he said before, they could not separate the question of the transport of troops from the relief system. The way in which he regarded the movement of soldiers for a time in Great Britain and another period of time in Ireland was that particular aspect of it which could not be separated at all from Vote 10, and it was only under that Vote that he could properly raise it. If the present Vote was passed, and the question should be raised on another Vote, the Chairmnn would be obliged to rule that the question could not be discussed on the Vote concerning Divine Service. Therefore, he could not accede to the suggestion that those £3,500,000, which had not been discussed at all, should be passed without any ventilation of the question which naturally arose upon it, and especially in the small hours of the morning. He would explain to the Committee his objections to the Vote which were connected with the relief system. Under the present system of foreign reliefs, the regiments which go abroad were larger than those which are kept at home on the average. According to the Return which the right hon. Gentleman furnished the House with some time ago, it appeared that there were 43 battalions of 480 rank and file. When a regiment went abroad it was recruited to its full strength, and was maintained at that strength. When it came home it was allowed to go through the process of natural depletion until it had reached the lowest figure on the Home Establishment. Now, there were in the British Army a considerable number of Irish soldiers, and there were many regiments which were more largely composed of Irish soldiers than of either English or Scotch. What he wished to make his Irish Colleagues understand was this—that the Irish soldiers were made to bear a disproportionate share of the dangers and difficulties of foreign service, and that Irish soldier life was wasted and sacrificed, while English and Scotch soldier life was economized. That, he thought, was a very fair ground for objecting to the system of relief as at present carried out. The regiments which returned from foreign service, and which had a considerable period of home service before them, were landed in Great Britain—it was the exception when a regiment on its return from foreign service landed in Ireland. During a great portion of the tour the regiments were kept in Great

Britain, and it was only when the time for foreign service came round that they were sent over to Ireland for their last period of home service, to be there recruited up to the full foreign strength, so that a disproportionate share of foreign and dangerous service fell upon the Irish recruit. Of the whole of the regiments, two-thirds were in Great Britain, and one-third in Ireland, and those which were peculiarly Scotch were treated more fairly in the matter. He would take the case of the Cavalry regiments first, not counting the three regiments of Household Cavalry, which had not been drawn out since 1816. There were 28, of which 7 were Dragoon Guards, 3 Dragoons, 5 Lancers, and the remainder Hussars; 16 of those were at home, 1 at sea, and the rest abroad. Of the 11 Cavalry regiments standing next for foreign service, there ought to be 7 or 8 in Great Britain against 3 or 4 in Ireland; but, two years ago, 6 were stationed in Ireland and 5 in Great Britain. Of those stationed in Great Britain, the only one that had gone abroad was the 6th Dragoons, and that was an Irish regiment; and although there were the 4th Dragoon Guards at York, and the 5th Dragoon Guards at Aldershot, both of which had been home since 1856, and the Enniskillens, which returned home 11 years later, those regiments had been allowed to be at home 11 years longer than the unfortunate Irish regiments. Thus there were the 11th Dragoons, which were then at Manchester, had been sent over to Ireland simply because its time for foreign service was approaching. Of the 10 Cavalry regiments, which at the beginning of the present year stood presumably next for foreign service, no less than 7 were in Ireland—namely, 2nd and 3rd Dragoon Guards, 1st and 2nd Dragoons, and 7th, 19th, and 20th Hussars. One had since gone to Natal; and of the 3 regiments in England, 2 were the 4th and 5th Dragoon Guards, which had been kept at home for such a long time, and the third regiment was the 7th Dragoon Guards, which was now at Aldershot, at the fixed establishment of 444, so that of the 10 regiments, 3 were in England, 1 was certainly not going abroad immediately, 2 were peculiarly favoured, and all the others were in Ireland next for foreign service. With regard to Infantry, of the 19 regiments which two years ago had the longest home service, and which, therefore, stood first for foreign service, 14 were stationed in Ireland and 5 in Great Britain; and of the 14 stationed in Ireland, 11 had no local connection with that country. They belonged to brigades of which the depôts were in Great Britain. Among the 5 battalions in Great Britain was the 1st-18th and the 50th-84th. The 1st-18th, which one might have thought would have been stationed in Ireland, for its depôt was at Clonmel, that was sent abroad to Afghanistan. The 50th, which was English, was stationed at home longer than any other regiment in the Service. He would ask the right hon. Gentleman what ground there was for keeping that regiment in England all those years, seeing that all the rest of the Army had to take its share of foreign service. He believed those regiments were, for some peculiar reason, favoured. [Mr. CHILDERS dissented.] The right hon. Gentleman shook his head. He could assure him that the rumour was repeated in a great many messes. He should like to know why the 84th, which was in England two years ago, was now at the Curragh? All the regiments in Ireland—the 38th and the 77th—had gone abroad, 1 to the Colonies and the other to India; and of the 11 regiments or battalions now standing next for foreign service, 9 were in Ireland, and of those only 1 belonged to a brigade which had its depôt in the country. All the others were English regiments, having their depôts in England. If they looked at the matter from an Irish brigade depôt point of view, they would see there were in Ireland 8 brigade depôts having each a depôt and 2 linked battalions. Then there was another point. Of the 8 Infantry battalions at Aldershot, the only one whose effective strength was kept above the establishment was the 2nd-18th. Why? Because it was an Irish regiment, and had to serve its linked battalion on Irish service. Thus it would be seen that while the regiments which were principally composed of Irish soldiers, which were properly at home only in Ireland, and which were fed from Irish brigade depôts, were for the most part abroad, the English regiments, which stood next for foreign service, were sent over to Ireland to be recruited up to full foreign strength. The effect was that the Irish soldiers in the British Army abroad were disproportionate in number to the English soldiers. Under those circumstances, the Irish Representatives were entitled to protest against a system which involved an undue drain upon Irish soldiers. They had no desire to see Afghans or Zulus subdued, or the Transvaal annexed, or the liberties of any people broken down, and they were very sorry to see their soldiers employed in such work. He should be very glad to see them engaged in defensive war; but he should prefer to see every Irishman removed from the Army into civil life, instead of having their faculties wasted as they now were. He raised this question now because the question of transport was involved in that of reliefs; but if the relief system was to be challenged, Vote 10 was the proper Vote to challenge it upon. But that was only one point arising on Vote 10. There were half-a-dozen other points; but that was not the proper time to raise them, and he hoped the right hon. Gentleman would content himself with a portion of the present Vote, or make arrangements for an early discussion of all these details. There was a tacitly recognized rule that Votes should not be broken up in Committee; but some of the Army Votes were divided into separate parts, and he could not understand why the right hon. Gentleman should not now—not as a precedent, but simply because of the embarrassing circumstances in which he found himself—take half the Vote, in order to leave some ground upon which to bring forward all these points. If he would not consent to that, the Irish Members must continue to keep a House.

MR. CHILDERS appealed to the hon. Member and to the Committee, whether, if questions which barely arose out of this Vote were to be discussed in such a way, it would be possible to expect the Estimates to be got through this Session? The hon. Member seemed to think that the Government wished to expose Irish soldiers to greater perils than other soldiers, and based his view on the fact that soldiers, on coming from foreign service, first returned to England, then were sent to Ireland, and from there sent on foreign service again. Regiments, on returning from foreign service, notably preferred spending their first years in England. That had been the case even since the Peninsular War. Then they went to Ireland, and formerly they went abroad from Ireland; but now a large proportion went from England. There was no intention in that system to do any injustice to Irish soldiers, and this was the first time he had heard that Irish soldiers disliked foreign service. He had always heard hitherto that they wished to go on foreign service. Then, the hon. Member said, a larger proportion of English soldiers ought to have been sent abroad to the Afghan and Transvaal Wars; then, he disapproved of those wars, and, therefore, did not wish to see his countrymen engaged so largely on foreign service. It was impossible for the War Office to lay down a rule that the sentiments of the regiments as to a particular war should be ascertained, and that regiments recruited from that part of the United Kingdom which approved of a particular war should be sent out. He should pity the Minister for War who had to carry out such a principle. The War Office proposed to carry out still further the battalion system; and, under that system, every regiment would have one battalion at home and one abroad. Under that system, every man and every officer would have, as nearly as possible, eight years' service abroad; and it was in order to carry that out that the War Office were increasing the regiments for foreign service. There was no intentional difference between the treatment of Irish and English soldiers, and the hon. Member's case must fall to the ground. He hoped the Vote would now be taken.

MR. ARTHUR O'CONNOR maintained that there was a much larger proportion of Irish soldiers abroad than English soldiers; that Irish soldiers were systematically taken from Ireland and sent on foreign service; that English and Scotch soldiers were sent to Ireland; and that Ireland was occupied by foreign troops, while the Irish soldiers were sent to do foreign service. The other day the hon. Member for Aberdeen moved for a certain Return showing the number of recruits in Scotch regiments from the Scotch recruiting field. The Secretary for War made no difficulty about giving that Return; and he (Mr. Arthur O'Connor) copied the Notice of Motion of the hon. Member, in order to obtain a similar Return as to Irish recruits. But the right hon. Gentleman (Mr. Childers) refused absolutely to give him that information. He refused because he knew that anyone would, if the Return were granted, see at a glance the system carried on; and that the Irish soldiers were sent abroad to bear the dangers of foreign service, while English and Scotch soldiers were safe at home. If the right hon. Gentleman had been prepared to make a clean breast of it, he would not have refused the Return.

Mr. CHILDERS replied, that the hon. Member for Aberdeen moved for a Return which only sought to ascertain the number of Scotch recruits, and it did not give one tittle of information as to what soldiers had gone abroad.

Sir HENRY FLETCHER said, it was well known—and he spoke as an old soldier—that in many Scotch regiments there was a large proportion of Irish soldiers; and in the 92nd Regiment, which had most distinguished itself in the Afghan campaign, there were 200 Irishmen. It could not be held that the Irish soldiers were sent abroad to bear the brunt of battle, while Englishmen were sent where there was no war; for the regiments were sent abroad according to the roster, and no distinction was made. If a regiment was required for foreign service, it was sent, whether it was English, or Irish, or Scotch, and he repudiated the assertion that Irish soldiers were selected for slaughter. Irish soldiers were the most straightforward and plucky men that ever existed; but it was not right that it should be said they were sent to be shot, while Englishmen were kept back.

Dr. LYONS said, if the hon. Member had proved anything, it was that a most exceptional and complimentary distinction was conferred upon Irish soldiers. They knew that where fighting went on promotion was fastest, and he had now to learn for the first time that Irishmen were backward on any occasion when fighting was going on. It had always been the boast of Irishmen that they claimed to be in the van. He would remind the hon. Member of the well-known lines of one of Ireland's most distinguished national poets, the late Thomas Davis—

> "They rushed from the revel to join the parade,
> For the van is the right of the Irish Brigade."

If it was known that Irish soldiers were more particularly selected to be sent to the field, that fact, so far from stopping recruiting in Ireland, would have the very contrary effect; and he was sure that if Irish recruits were habitually put into the regiments which were sent to the front, they would have a still larger increase of recruits than at present—3,000 in 1880, as compared with 1,400 three years previously—and the Service would be more popular than ever in Ireland.

Mr. T. D. SULLIVAN said, he entirely dissented from such a statement.

Mr. O'SHEA said, the hon. Member was entirely mistaken with regard to the 4th Dragoon Guards, which was an Irish regiment.

Mr. ARTHUR O'CONNOR: How many Irishmen?

Mr. O'SHEA said, he had no Return to show the exact numbers of the different nationalities at the present moment in the 4th, which was the Royal Irish Dragoon Guards. The regiment was notoriously more Irish than was altogether agreeable to the authorities in 1866 and 1867. But he must add, of his own experience in the Army, that the general complaint of the hon. Member was not shared either by Irish officers or men.

Mr. T. D. SULLIVAN entirely dissented from the view of the hon. Member for Dublin that it was a point of honour with Irishmen to be sent to the front in those little wars in various parts of the world, which were very shameful wars. There was no honour whatever in shooting Zulus, or Afghans, or Boers, or in being shot down by them. Those men were fighting for the independence and rights of their country. It was admitted that they had been standing on the defensive against an unjust war, and against annexation, and it was no honour to send his countrymen to take part in such wars.

Mr. BIGGAR begged to move that the Chairman do report Progress, and ask leave to sit again. He thought it was time that discussion came to an end. The hon. Member for Queen's County had stated certain facts, and the Secretary of State contradicted his statement; but it was not alleged that those particular regiments had not been moved, and he thought if they reported Progress then, they could discuss the merits of the matter at a future time. It was desirable that they should know how the matter of selecting regiments for home service was done, and whether Irish regiments, more than others, were selected to be slaughtered, either by the enemies of England, or by unhealthy climates.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

Mr. CHILDERS appealed to the hon. Member (Mr. Biggar) whether what had been stated was the case? He (Mr. Childers) had answered him with respect to selection for a particular service, and had assured him that no regard was ever paid to their nationality; but that, under the present system, every soldier must take his turn at foreign service. And he did ask the hon. Member, after that statement—after he had told him that he could discuss the general question on other Votes—on the Vote for Quartermaster General—nay, he would entreat the House, not to postpone the matter any longer, but let them take the Vote.

Mr. BIGGAR said, he should be exceedingly glad to give way to the right hon. Gentleman, who had been exceedingly civil in some things and exceedingly uncivil in others. He refused to give the information which his hon. Friend asked for a few days ago, and he now said he would give the information in general terms, but would not give a similar Return with regard to Irish soldiers which he had given with regard to Scotch soldiers. However plausible the right hon. Gentleman might be, he was not thoroughly candid.

Sir WILFRID LAWSON rose to Order, and asked if the expression used was courteous to the right hon. Gentleman?

The CHAIRMAN said, he did not think the remark was courteous.

Mr. BIGGAR said, however unwilling he was to say anything uncivil or un-Parliamentary, he did say that the right hon. Gentleman avoided explaining certain matters with respect to which his hon. Friend wished to know. On previous occasions he refused to explain the matter, and the result was that they did not know how matters stood. If he would say that he would grant the Return and the information before the light of day, that was to say, before the reporters, he would say he was candid; but if he refused that information when the reporters were present, and refused to discuss the matter until some uncertain future day, they were entitled to resist the Vote.

Mr. CHILDERS would appeal, not to the hon. Member, but to the whole Committee. He hoped he had been most candid up to now. The hon. Member asked why he objected to a certain Return, and he said plainly that if that Return was given it would not have assisted the hon. Member in the slightest degree; and he said at the time that if the hon. Member would go to him and ask for the information he wanted he would give him such information as he could, but the Return he asked for would not have helped him in the smallest degree.

Mr. ARTHUR O'CONNOR said, he asked for a certain Return, knowing perfectly well what he wanted it for, and the right hon. Gentleman would allow that he could judge as well as himself what he wanted it for. The Return which was granted to the hon. Member for Aberdeen with respect to Scotch soldiers was precisely the Return he wanted for his purposes, and he could not conceive any other Return that would suit him so completely. The right hon. Gentleman said that he might afford him some information, but was not willing to give him the Return, because he might use it in support of a Motion which he could not agree with. He said that Return would have vindicated his present position, and would have shown that Irish regiments were, to an undue extent, sent on foreign service. It would have proved that an undue proportion of Irish soldier-life was sacrificed in proportion to Scotch and English soldier-life, and that it was unfair to Irish recruits that they should have that undue share of foreign service. It was all very well for the hon. Member for Dublin to talk about honour. He did not for a moment recognize the honour of foreign service in wars such as the British Government had lately been carrying on.

Question put.

The Committee *divided:*—Ayes 7; Noes 57: Majority 50.—(Div. List, No. 220.)

Original Question again proposed.

Mr. CHILDERS observed, that the hon. Member had now explained very clearly what information he wished to obtain. He wished to ascertain the proportion of English, Scotch, and Irish soldiers who were sent on foreign service, in order to see whether his contention that an undue proportion of Irish soldiers were sent abroad was correct. He should be happy to give such information, and he hoped after that assurance he might be allowed to take the Vote.

Mr. ARTHUR O'CONNOR was glad that the right hon. Gentleman now consented to give the Return which he had previously refused.

Mr. CHILDERS explained that what had been previously asked for was a Return of Irish recruits in the particular regiments. He had an objection to giving that information; but he promised to give the proportion of all kinds of soldiers sent on foreign service, and he thought a more candid offer than that could not have been made.

Colonel STANLEY remarked, that he had no particular interest in the Return; but he thought the offer of the right hon. Gentleman was as fair a one for carrying out what was asked for as could possibly be made. Irish recruits might and did go to English and Scotch as well as Irish regiments, and he thought the Return in the form proposed would be the fairest mode in which the information could be given. He hoped the right hon. Gentleman's appeal would be listened to.

Mr. ARTHUR O'CONNOR said, it seemed to him an extraordinary proposal that because the right hon. Gentleman was prepared to furnish a Return, the Irish Members, who objected to the whole system which had been adopted that night, should at once consent to vote £3,500,000 of public money. What he had asked the right hon. Gentleman for was a Return showing the number of Irishmen, Scotchmen, and Englishmen who were abroad and at home; but the right hon. Gentleman, although he knew the purpose of that request, refused the Return, and he refused a similar Return to that of the hon. Member for Aberdeen, because he knew it would afford information upon which he (Mr. Arthur O'Connor) might base a Motion.

Mr. CHILDERS said, he had refused for palpable reasons to give the number of recruits in each regiment; but he had now promised to give the precise information by which the hon. Member could test his opinion that an undue proportion of Irish soldiers were sent abroad. That was a totally different matter from the number of recruits in each regiment. There were continual transfers from one regiment to another, and he could give no information as to them; but he would meet the point upon which the hon. Member had spoken for half-an-hour.

Mr. BIGGAR said, the right hon. Gentleman offered information which was not asked for; and he thought the Secretary for War should at once give the Return desired without further quibbling.

Mr. CHILDERS denied that he had any desire to quibble, and repeated that he was prepared to give the precise figures as to the number of men sent abroad.

Mr. LEAMY objected to the Vote of £3,500,000 being taken at such a late hour, and stated that, no matter what information the right hon. Gentleman was willing to give, he should oppose the Vote. He begged to move that the Chairman should leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Leamy.*)

Mr. HEALY said, he was sorry that no arrangement seemed to be possible in this matter; but he could not see why the Return, which was an exact copy of the Return obtained by the hon. Member for Aberdeen, should not be granted.

Mr. CHILDERS said, the hon. Member for Aberdeenshire (Sir Alexander Gordon) wished to learn whether the recruiting of the last few years would fill up a certain number of kilted regiments, and to ascertain that he asked for a Return of the number of recruits. He did not ask for any information as to the recruits sent abroad; but the hon. Member for Queen's County (Mr. Arthur O'Connor) wanted a Return of the numbers of Irish, English, and Scotch sent abroad. That information must be got not from the Recruiting Office, but from the Quartermaster's Office.

Mr. ARTHUR O'CONNOR pointed out that the Return obtained by the hon. Member for Aberdeen not only showed the number of recruits, but also their destination, and he himself had asked for both classes of information. He contended that there were too many Irish recruits; and he found from a Return issued by the Quartermaster that whereas, in 1869, there were 1,403 recruits in Ireland, the average number for the next five years was 2,250, and for the following five years, from 1874 to 1879, it was 3,260. Unfortunately, these recruits increased not only in absolute numbers but in disproportion to the population; and while the population of Ireland was rapidly decreasing the number of young men drawn off by the British Army was increasing annually. Ireland could not afford to lose those young men, and recruiting ought to stop in Ireland during the suspension of the liberties of the people.

THE CHAIRMAN: The hon. Member is now travelling beyond the Question before the Committee.

MR. ARTHUR O'CONNOR admitted that, but explained that he was merely replying to the observations of the Secretary for War. The right hon. Gentleman thought he ought to be content with a Return showing the number of Irishmen who had been sent abroad, and he should be very glad to have that Return; but he could not understand what objection there could be to giving him the information he asked for in the first instance—namely, the number of Irishmen, the number of Scotchmen, and the number of Englishmen who were now abroad.

MR. CHILDERS: I have not the slightest objection.

MR. ARTHUR O'CONNOR repeated that what he wanted was the number of English, Scotch, and Irish soldiers now abroad, and the number of English, Scotch, and Irish soldiers who were at home. He could not understand why the right hon. Gentleman should have so much difficulty.

MR. CHILDERS reminded the hon. Member that he had already promised to give information as to the number of Irishmen sent abroad in each year, but he could not furnish such information as to recruiting.

MR. ARTHUR O'CONNOR said, his own personal wishes as to the form of the Return were a matter of slight consequence; but Mr. Childers seemed to expect, after the concession he had made, that those who objected to the whole principle of the system which had been pursued that night would now agree to the Vote. They were asked to vote away £3,500,000 of the public money in the absence of many hon. Members who were best qualified to deal with the subject. The majority of the military Members were unaware this Vote was coming on, and, in their absence, the House was taken at a disadvantage. A whole volume of Returns would not alter that part of the case. [The ATTORNEY GENERAL (Sir Henry James): Monstrous.] The hon. and learned Gentleman said it was monstrous; but he objected as a Member of the House to the passing of this Vote, and would not give way because his personal feelings had been salved by the promise of a Return.

COLONEL STANLEY ventured, reluctantly, to interpose. He had probably had as much to do with Estimates as any Member of the House; and he must say that, although occasionally a difficulty had arisen, he had never yet known a Committee disregard an appeal made by a responsible Minister of the Crown, that the money was absolutely necessary for the Public Service. He hoped no private feeling would be allowed to interfere on this occasion. It was not the fault of the Government that the Vote had to be asked for at 5 minutes past 4 in the morning; and as to Notice, although he was no friend of the Government, he was bound to say he noticed that this Vote was on the Paper that morning. This discussion was very inconvenient, and he could only suggest that further questions on the Vote should be reserved to the stage of Report.

THE ATTORNEY GENERAL (Sir HENRY JAMES) disclaimed any idea of personal discourtesy to Mr. Arthur O'Connor; but the word which escaped his lips exactly expressed his thoughts. It was stated hours ago that it was necessary for the Public Service that this money should be voted, and that it should be done without taking a day from the Irish Land Bill; but the hon. Member for Queen's County wished to have a day taken from that measure. The hon. Member had, for three quarters of an hour, urged his demand for a particular Return; but having obtained it, he was not satisfied, and the position he now took up was that he did not wish to see a single Irish soldier recruited, and, therefore, he opposed the Vote. He (the Attorney General) protested against that state of obstruction to the Public Service.

Mr. ARTHUR O'CONNOR rose to Order, and asked whether the hon. and learned Gentleman was in Order in imputing to him obstruction?

The CHAIRMAN: I must say that these continued Motions of the same kind look to me very much like obstruction.

Mr. ARTHUR O'CONNOR said, he desired the Chairman to decide the point of Order.

The CHAIRMAN: I have heard nothing from the hon. and learned Gentleman that was out of Order.

The ATTORNEY GENERAL (Sir Henry James) said, he intended to convey that these proceedings did obstruct the Public Service, and it was on that account that the word "monstrous" escaped him just now. The matter became one of physical endurance; and as the Government had no choice but to continue the contest, he hoped the Committee would support them.

Mr. ARTHUR ARNOLD said, he should give the right hon. Gentleman his most cordial support, and he could bear testimony to the admirable temper which the right hon. Gentleman had shown. He must, also, bear witness to the intelligent criticism which Mr. Arthur O'Connor gave upon military matters. He had often listened with much attention to the hon. Member's remarks on that subject.

Mr. ARTHUR O'CONNOR wished to explain that he had never spoken on military matters before.

Mr. ARTHUR ARNOLD was sure he had frequently heard the hon. Member do so. As to the Return which the hon. Member had obtained, no doubt it would contain valuable information; but he thought that now the Vote had received adequate discussion.

Mr. ONSLOW said, he at first objected to the Vote being taken after 1 o'clock; but now he felt it his duty to support the Secretary for War. He would tell the hon. Member for Queen's County that he had some sinister reasons for asking——

Mr. T. D. SULLIVAN rose to Order, and asked whether that remark was Parliamentary?

The CHAIRMAN: I do not think that remark is quite Parliamentary.

Mr. ONSLOW would withdraw the remark, and would say, instead, that there was something behind the scenes which induced the hon. Member to want the Return. As a Constitutional Member, he objected most strongly to the remarks which the hon. Member had made. If an Irishman was recruited he was recruited for the whole Empire, and it was no matter what part of the world he was sent to. It was to be regretted that the right hon. Gentleman had promised the Return, because it would not do much good one way or the other; and the Return had been forced upon the right hon. Gentleman simply because hon. Members below the Gangway wished the baneful effects of the Land League to be brought to bear on the troops. It was time that other hon. Members should speak their minds firmly against those hon. Members who were not sent to Parliament for the true interests of Ireland, but for a particular purpose. The course taken by the hon. Member for Queen's County was, he thought, detrimental to the interests of the Empire, and he should support the right hon. Gentleman in carrying through the Vote.

Mr. CHILDERS: Perhaps, as a decided appeal has been made to me, I may be allowed to answer it. I think I ought to sum up how the question stands. When the Vote was proposed, after a somewhat discursive conversation, which I endeavoured to answer, the hon. Member for Queen's County rose and, for nearly an hour, addressed the Committee on one question. His object was to prove by statistics that an undue proportion of Irishmen were sent on foreign service. That was the alpha and omega of his speech; and he complained that I had refused to give him a Return from which he could have ascertained the facts, and therefore he would have to speak at greater length than he would otherwise. [Mr. Arthur O'Connor dissented.] The hon. Gentleman shakes his head, but I appeal to other hon. Members whether that was not the case; and I will go as far as to say that the whole of his argument was that an undue number of Irishmen were sent on foreign service. He charged me with having refused to give him certain information, and I stated that I would give him the facts; and now he wants a totally different Return about recruiting, because he wishes to destroy recruiting in Ireland. He says distinctly he does not wish an Irishman to be recruited in Ireland. [Mr. Arthur O'Connor dissented.] The hon. Member may shake his head as long as he likes; I say that he has said that several times. He said distinctly, and he has said it on a previous occasion, that he wished to prevent any Irish recruit entering the Army. I am addressing 70 or 80 men of honour, who know that these were the precise words of the hon. Member; and if that is his method of argument, I say I will not for one moment descend to help the hon. Member to what I believe would be destructive to Irish recruiting, and would stop the source from which I believe we get the best soldiers, I tell him distinctly that he is trying to get information to carry out that object. He says that he now wants a recruiting Return as the foundation of some of the facts he wants to elicit as to the proportion of Irish sent abroad. I will give him that proportion; but I will not help him to do what is detrimental to the Army. Then comes the question—Are six or seven Irish Members, who are the heart and soul of obstruction in this House; who have obstructed on former occasions, and brought about the necessity for "urgency;" who have done their utmost to obstruct Public Business——

Mr. ARTHUR O'CONNOR rose to Order, and asked whether the right hon. Gentleman was in Order in imputing to Irish Members a distinct and flagrant violation?

The CHAIRMAN: It is not a violation of the Rules of the House to speak of obstruction when obstruction exists. There is a special Rule of the House for preventing obstruction.

Mr. R. POWER wished to know whether the hon. Gentleman could point to any vote he had ever given in support of obstruction?

Mr. CHILDERS: That is not a point of Order. The obstruction is now coming from the source from which it has hitherto come. It is only a repetition of past obstruction; and the country, when it knows what has happened tonight, will only see that the obstruction, which was postponed for a short time, is renewed, and that that obstruction is directed against the Land Bill. I know perfectly well with whom we have to deal; we have to deal with those who are repeating a course which the House had to condemn by establishing the Rules of Urgency under which we had to conduct Business for some time. What are we to do now? The right hon. Gentlemen have appealed to me as to the taking of this Vote. We are prepared to carry on this debate, and I think if we do so the country will justify the measures which it will be necessary to adopt to put a stop to this obstruction. But then the question arises, Are we to expose the officers of the House, who have already been here a long time—including Mr. Speaker himself, who is waiting outside—to this inconvenience? I put that to the majority who have voted in these divisions. If they express the opinion that, in spite of the desire we all have to spare the Speaker and the officers of the House, it is our duty to go on, we will go on. But I hope the majority will clearly show whether they expect that to be done. If, on the contrary, they think we should give way, most reluctantly we will give way; but I and my Colleagues are prepared to sit here through the night.

Mr. R. POWER protested against the violent and extraordinary speech of the Secretary of State for War, and, observing that he was determined to vote with the Government on the Land Bill, objected to the language of the Attorney General. He objected to £3,500,000 being voted away at half-past 4 o'clock in the morning; and if the Government wished to beat them by physical force, the Irish Members were also prepared to remain all night. But if neither side would give way, both sides would only make fools of themselves.

Mr. R. N. FOWLER said, he hoped the right hon. Gentleman would persist with this Vote. In former times this Vote would have been granted as a matter of course; but if the House was to be met by this unprecedented obstruction to the Public Service, hon. Members ought to be prepared to make a personal sacrifice to support the Government.

Sir WILFRID LAWSON urged the Government to give some promise upon this subject.

Mr. CHILDERS said, he certainly ought to except the hon. Member (Mr. R. Power) from any imputation of general obstruction, and again expressed his readiness to furnish information as to the proportion of Irish soldiers sent abroad, and to undertake that the subject should be discussed on a subsequent occasion.

Mr. ARTHUR O'CONNOR said, that, while leaving the Attorney General free to indulge in any expressions he chose, he thought the right hon. Gentleman the Secretary of State for War had been unjust to him. He repudiated entirely the right hon. Gentleman's suggestion that he wished to embarrass the Government, and that he desired to prevent recruiting in Ireland. He had put a Motion on the Paper declaring that the House was of opinion that recruiting ought to be suspended in Ireland pending the restoration of the Constitutional liberties of the people of that country; but he had not said that he would endeavour to prevent recruiting in Ireland. The Return which the right hon. Gentleman had promised would furnish all the information he had asked for; and he asked the House to accept the assurance that he had not taken up the opposition that evening from a mere wish to obstruct, but because he felt that the Vote ought not to be taken without examination and discussion. That was not the way in which the people's money ought to be taken, and the Committee were not justified in passing the Vote in the small hours of the morning. But, having regard to the observations of the hon. Member for Waterford, he would be willing to accept an assurance from the right hon. Gentleman that another opportunity should be given for the discussion, and would only ask the right hon. Gentleman in future to be less ready to impute motives.

Mr. CHILDERS replied, that four hours ago he could have been more charitable. However, he accepted the suggestion, and promised that an opportunity for the discussion of these questions of the movements of troops should be on Vote 4.

Mr. T. D. SULLIVAN thought they were now very near a settlement, and they had, in fact, reached that point half-an-hour ago, when the Attorney General interfered with his furious war-charge, and threw the whole matter into confusion. Personally, he wished to repudiate any desire to defeat or delay the Land Bill.

Dr. COMMINS also repudiated that imputation, and regretted the injudicious interposition of the hon. and learned Attorney General.

Mr. R. POWER regretted the misunderstanding that had arisen, and, after the very satisfactory statement of the right hon. Gentleman, would appeal to his hon. Colleagues to let the Vote pass.

Mr. LEAMY, in withdrawing his Motion, said, he intended no obstruction; but he objected to the Vote being taken at so late an hour.

Motion by leave, *withdrawn.*

Original Question again proposed.

Mr. HEALY said, he was at first against the Vote; but as the Government appeared to be in a difficulty, and as the Secretary for War met them in a courteous and satisfactory way, he was inclined to give way. But he did protest against the language of the Attorney General, and would tell him that language of that kind had no effect upon the Irish Members. He had been suspended twice, and he should not mind if he were suspended thrice. All the House could do was to turn the Irish Members out; but those Members were there in discharge of their duty, and they should discharge that duty, no matter whom it displeased.

Mr. BIGGAR would like the Chairman to qualify his charge of obstruction, which he thought was not warranted by the facts. The conduct of the Irish Members had been perfectly *bonâ fide.*

Mr. ARTHUR O'CONNOR did not care a straw, as far as he was personally concerned, about the charge of obstruction, because he had never obstructed. But he would point out to the right hon. Gentleman that the question of reliefs was only one of various questions arising out of this Vote, each of which would give rise to a considerable amount of discussion. However, as the hon. Member for Waterford had come to an understanding with the Secretary of State, he would not now move reductions of the Vote, as he had intended to do, by the amounts for the transport of troops to Ireland, Natal, and the Transvaal. At the same time, he was not altogether satisfied with that understanding, and if he could have persuaded his hon. Friend to consider a little longer before entering upon that undertaking he would have done so. A great wrong was done to the country, and a dangerous precedent was set when, by dint of sitting a number of hours, a majority could force a minority, which had taken the trouble to study the matter, into voting under these circumstances £3,500,000 on the Army Estimates.

Question put, and *agreed to.*

Resolution to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

### LORD LIEUTENANTS OF COUNTIES (IRELAND) BILL.

On Motion of Mr. Litton, Bill to deprive Lord Lieutenants of Counties in Ireland while absentees of the power of recommending persons for the commission of the peace, *ordered* to be brought in by Mr. Litton, Mr. Findlater, Mr. James Dickson, and Mr. Lea.

Bill *presented*, and read the first time. [Bill 180.]

House adjourned at Five o'clock
in the morning till
Monday next.

## HOUSE OF LORDS,

### *Monday*, 30*th May*, 1881.

MINUTES.] — Select Committee — Law relating to the Protection of Young Girls, *appointed ;* Irish Jury Laws, *nominated.*

Public Bills—*First Reading*—Summary Procedure (Scotland) Amendment* (99); Bankruptcy and Cessio (Scotland)* (100); Newspapers* (101); Water Provisional Orders* (102); Customs and Inland Revenue* (98).

*Second Reading*—Fugitive Offenders* (91).

### PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS.

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

Ordered, That Standing Orders Nos. 72. and 82. be suspended for the remainder of the Session.—(*The Earl of Redesdale.*)

### REFORMATORY EDUCATION.

#### RESOLUTIONS.

Lord NORTON, in rising to move the following Resolutions:—

> "1. That it is desirable to consolidate the several laws relating to reformatory and industrial education of children who have been convicted of crime or are, without any competent guardianship, in criminal ways of life;
>
> "2. That punishment for crime should be a treatment separate from general education; and
>
> "3. That all publicly aided schools should be under the Education Department;"

said, he asked attention to an important branch of their National Education—the reformatory and industrial schools. He believed the Government wisely contemplated a revision and consolidation of the Acts on the subject; and if that belief were well-founded, now was the time to ask their Lordships' attention to it. He certainly thought that experimental legislation in connection with education extending over 30 years called for some settlement on definite principle. Concurrent legislation had much altered the case meanwhile. These schools were begun by private charity, following Lord Shaftesbury's Ragged Schools; and when reformatories were first commenced, convicted children were sent under conditional pardon. In 1854 an Act made it a legal committal to a reformatory after 10 days' imprisonment. Industrial schools for vagrant children followed, at first connected with the Education Department; but a Consolidating Act, in 1866, placed both under the prison authorities. They thus became State institutions, though under voluntary management; £500,000 was now spent annually on them—nearly 90 per cent of the cost being borne by the Treasury and rates, 3 per cent only being taken from parents, leaving 7 per cent to private subscription. The State taking up those schools, naturally gave them a police aspect. They went to the Home Office. In the same way Houses of Correction, similarly started, became prisons. But a penal school was an impossibility in practice, and a mischief in idea. A child's whole education could not consist of correctional treatment, nor be all under continued disgrace. Correctional discipline could not be maintained, even if desirable, for five years. It was clear, then, that the penal part of a criminal child's treatment must be one thing, and school another. There could be no use calling a thing what it was not really, and in that case there was much harm. A mischievous misnomer laid, in a sentence, to any sort of education as the punishment for crime. As punishment, the school course was disconnected with the crime, and therefore not directly deterrent from it; as education, the protracted penal stigma defeated the object, which was to train from criminal to respectable character. To awaken self-respect was the chief purpose of a school for degraded children ; but the spirit of school fellowship in a school connected with crime must be an *esprit de corps criminel*, a bastard sort of self-respect of the Robin Hood kind. Penal training, though only in name, trained up children as criminals, just as workhouse schools trained up children as paupers. Besides, being specially industrial training, it frustrated itself, for it barred from employment in the industries it trained for, even the State refusing to take into its service those it trained. The parents, moreover, resenting the penal treatment, turned their children, on discharge, to other employment. The advocates of penal training went so far as to insist on children for ever stating truly, to anyone offering them employment, that they were early criminals, and had been brought up in criminal schools. Why, even lepers were not made to shout out "unclean" after they were cured. But all this, in his opinion, betrayed a supposition that reformatories did not reform, or a desire to preserve pet criminals as such. There was further mischief in sentencing to school as part of a term of punishment, that it tended to keep children of the lowest working class too long at school. At a reformatory school, children admitted at 16, if kept until their sentences had expired, would be 21 before they left. Those children ought to be got to work as soon as possible; long before that age, if they were really retrieved for ordinary life. Special provision had consequently often to be found for these artificial products of long penal training. Emigration became the privilege of long-neglected childhood. It was true that reformatories very soon broke up the old nurseries of habitual young criminals in towns; but any care taken of wholly-abandoned children was sure of this success. It was a success, however, in spite of, not in consequence of, the penal character of the remedy, which was a great drawback to the good done, both in the failure to open a perfectly fair field in life, and in a false favouritism of crime. The best proof that a school could not be practically treated as a place of punishment, nor be distinguished by greater severity of discipline in the education of criminal children, was the failure of all attempted distinction between the treatment of children in reformatory and industrial schools. The two had, in practice, assimilated, and were indiscriminately used by magistrates, convicting or not according to which of the two schools in the neighbourhood they preferred for the case. In the following particulars the two were, not only in practice, but in institution identical:—Both were refuges for children run wild, under voluntary management, supported by voluntary subscriptions largely subsidized by public money. Both were subject to Government rules and inspection. The inmates of both were legally detained by order of a Court of Justice, against their own and their parents' will, and discharged by order of a Secretary of State. So far, the two were identical in institution ; but in practice they were no less so. Reformatories now admitted many not of the criminal class, and industrial schools took many children practically the same as reformatories, and presumably as guilty. Many were sent to the one who, if there were any real difference, should go to the other. The only practical distinction between such schools that might be usefully made would be of age. This would reduce the chances of contamination, which were great under the present nominal distinction. At present, reformatories, designated for the worst, could not all be filled by the old stagers, and had their complement made up by the younger ones. There would be less chance of contamination by keeping a few schools for the older children only. But even the schools kept for older admissions should not assume a penal character, nor would they more than any school attendance under compulsory order was penal. Neither would they be thought to do so. They would not be part of a criminal sentence, but a substitute for the education which such children ought to have had at home. Punishment in the case was over ; and the worse the child, the less was it desirable to continue ticketing him as a bad one, or to flaunt education in his face as a continued correctional infliction during the rest of his childhood. In his right hon. Friend's (Sir Stafford Northcote's) words, "punishment should be got over and out of the way before the reformatory training begins." The first thing that was to be done then with these schools, if his arguments were admitted, was to take them out of the control of the Home Office. If they differed only in the age, or precocity—which was anticipated age—of their inmates, and all were alike un-penal, or post-penal, places of education, surely they could not be matters of police. What had the Home Office to do with schools, or schools with the Prison Department? Industrial schools were at first certified and inspected by the Council Office, and only got lugged in, by bad company with reformatories, to the Home Office. Day industrial schools, instituted under the Education Act of 1876, all allowed should be under the Education Department. By the same Act, school boards were obliged to send truant children to industrial schools; and one of the offences qualifying for them was a breach of an order for attendance at school. Clearly, then, in the eye of the law, industrial schools were part of our educational system. Industrial schools should, requiting evil with good, rescue reformatories to the true Department of their common school character. But the Council Office disliked these schools, and the schools disliked that Office. The Education Minister said the cost of boarding was foreign to his Votes; but such an official objection should not weigh against public interest, and the public would prefer having all the costs of National Education submitted to Parliament together, and boarding school children was not more foreign to one official Estimate than another. The objection, so far as it had any weight, would suggest the Local Government Office which had pauper boarding schools under it, as the proper authority to deal with them, but certainly not the Home Office. All publicly-aided schools should be under the School Department of State, with one Education Minister over all. The managers of these schools, on the other hand, thought the standard of the Education Office too high for their purpose, and not industrial enough. He (Lord Norton) heard one of them ask what had criminals to do with reading and writing? Possibly, industrial training was more suited to them than the 4th Schedule; but surely it would be wiser to adapt the Office to all its various work, than to put its work into another Office which had nothing to do with it, and connection with which was prejudicial to it. Another evil was increasing rapidly under the present system. Numbers were sent to both these schools who ought to go to neither. Such was the opinion of the Inspectors. The only justification for giving, at the public expense, an industrial education to neglected children more useful and costly than careful parents could give, was the public necessity to avoid a pest of otherwise uneducated children; but going one step beyond that public necessity was a public injustice and mischief, a premium on negligence and vice. The recent law of compulsory attendance at school had greatly narrowed this necessity, for it was harder now for a child to escape education than it was formerly to find education for all. There could be no excuse now for needless multiplication of schools outside the Education Department, with philanthropy pulling the string and the Treasury bound to answer every call; yet they saw a strong tendency to multiply still more varieties of private fancy schooling at the public expense. What he proposed was, that the schools in question should be taken from the control of the Home Secretary, who had announced his readiness to bring in a Bill to effect separately his part of the treatment of criminal children—their punishment in suitable way and place. The magistrate would then sentence a young convict to condign punishment, and annex an order that on discharge he must go to school; and if he had no capable guardianship to be remitted to, that he must go to one of these public schools. Some criminal children had decent and fit homes to be sent back to, and from which they should not be needlessly separated, and which should not be needlessly relieved of them. In connection with this point, there was a very excellent provision in the first Scotch Industrial Schools Act, which he should like to see more generally carried out. It was that no child should be admitted into any of these industrial schools, if security could be taken from the parents for the good behaviour of the child. He hoped, when these Acts were revised, these schools would no longer be open to any children who had fallen under criminal sentences beyond the necessity of finding education for such as would otherwise remain uneducated. There would, in that view, be no fixed terms of detention at these schools. When they were so recognized for their educational purpose, the order of attendance at them would run only till the master gave a certificate of the child's readiness and ability to find work, approved by the magistrate. Probably, however, it would take longer to fit some children to go out to work than others. The removal of all penal idea in the education would accelerate their fitness, and facilitate their finding work. He hoped his Resolutions would be met by Government undertaking to legislate accordingly; if not, he must ask leave to submit a Bill embracing the views he had expressed. He begged to move the three Resolutions of which he had given Notice.

*Moved*, to resolve—

"1. That it is desirable to consolidate the several laws relating to reformatory and industrial education of children who have been convicted of crime or are, without any competent guardianship, in criminal ways of life;

"2. That punishment for crime should be a treatment separate from general education; and

"3. That all publicly aided schools should be under the Education Department."—(*The Lord Norton.*)

LORD HOUGHTON said, it was painful to him to find himself differing in any degree from his noble Friend (Lord Norton), with whom he had co-operated so long in a work which had not only been so benevolent, but, he was thankful to say, so successful; but he could not help thinking that very inadequate grounds had been assigned for adopting the Resolutions then brought under the notice of the House. He (Lord Houghton) was the first to introduce the present system before Parliament; but his efforts met with so little favour that he was almost inclined to abandon the subject altogether. Sir George Grey, than whom there could not have been a better Home Secretary, entirely discouraged his advances in the matter, while Mr. Henley thought it was one of the most foolish projects ever presented to Parliament. It was difficult for him to see by what induction his noble Friend had come to the conclusion at which he had arrived. Was the amount of juvenile crime a sufficient ground for asking their Lordships to make the alteration proposed? If the amount of juvenile crime had remained the same, there would have been some grounds for asking their Lordships to make an alteration in the law; but such evidence could not be given. On the contrary, from the very beginning, when he (Lord Houghton) first directed attention to the importance of instituting these schools, this movement had been most successful, the large bands of criminal children that invested the Metropolis had been broken up, and a better spirit of legislation had been induced. A few years ago the distinction in the treatment of juvenile and adult criminals was but little marked; but a great change had lately taken place in public opinion, as evidenced by the Bill dealing with the matter which the present Home Secretary was about to introduce. Beyond that, they saw that the right hon. and learned Gentleman was shocked even by the occasional appearance of criminal children in the dock. There were probably reforms which might be advantageously introduced into the present system, and he would be happy to co-operate with the Home Secretary in the introduction and carrying out of such reforms; but he believed the present system had, on the whole, worked effectually, and, at all events, he did not think that reform lay in the direction pointed out by the Resolutions of his noble Friend. It was not quite easy for him to see the standpoint of the noble Lord. As far as he could understand it, his noble Friend would separate punishment entirely from education. But if the penal idea was to be altogether removed from the reformatory, it would be necessary for the satisfaction of justice and public opinion that the previous punishment should often be of a very severe character; and this was just that which public feeling revolted. The true remedy, he thought, was to be found in the retention of the present system of punishment with education combined. Let them take the instance of a boy who threw a brickbat at a railway train. That child ought to be punished with great severity. But if they tried by education alone to eliminate criminal folly from the mind of the child, they would not succeed. The present system worked most efficiently in changing the character of the children, who, under the influences of the country and of employment, seemed to lay aside the evil in their nature. At no time had more than 12 per cent of these children fallen back into crime, which was good proof of the success attending this beneficent scheme. There was still, however, a residuum of criminal children, who must be taken out of the family, or, at any rate, removed from the influence of their old evil associations. Great reforms had, indeed, taken place in the treatment of criminal children, especially in the industrial schools, where they were taught agricultural labour in the open air. He would also call their Lordships' attention to the great extent of the aid the institution of these schools had given to emigration, and to the satisfactory reports which had been received from Canada and other places as to the conduct of the children sent out in after life; and it might be observed with regard to them that the percentage of those who returned was very small. He could not see what advantage would be gained by transferring the control of reformatory schools from the Home Office to the Education Department, because the children in those schools could not be subjected to the same processes as the children in the ordinary schools, the regulations, standards, and arrangements being quite inapplicable; and, besides, the control of the Home Office was mainly of a benevolent character, and amounted to little more than mere inspection. On the other hand, he had never heard any complaint as to the extent or character of the present supervision, and he did not believe it would be wise for their Lordships to assent to the Resolutions. If his noble Friend was so convinced of the correctness of his views, let him embody them in a Bill, and submit it to their Lordships.

LORD ABERDARE said, it was with reluctance and pain he opposed the Motion of the noble Lord opposite (Lord Norton). When they sat together in the House of Commons the noble Lord had expressed his opinions in favour of removing the schools from the Home Office to the Education Department; but he never brought his proposition to the test of a vote, and he was opposed by eminent authorities, including Sir George Grey, who had given earnest attention to the question. No doubt, there was a general feeling in favour of measures of consolidation when they could be carried out consistently with other objects. He agreed with the noble Lord that the condition of the juvenile criminal classes was very different now from what it was when legislation was first introduced. Mr. Sidney Turner, in one of his last Reports, called attention to the fact that the later criminals were of a less obstinate character than those with whom we had to deal originally; and Mr. Barwick Baker, who was so honourably connected with the administration of justice in Gloucestershire, had made the same remark. It might be that magistrates did not always discharge their duties with equal discretion, in sending to reformatories or industrial schools children who were supposed to be not vicious or refractory enough for committal thereto. Every now and then a case of doubtful discretion was brought before the public, and the public were apt to consider that such cases were fair examples of all; but they were not, and, on the whole, magistrates performed their duty with good sense and discretion. If, however, some arrangement could be made for revising or re-considering the sentences, it would be a useful measure. A detention of five years, a very common sentence, was too long; and, in his opinion, in determining the length of detention regard should be had to the nature of the crime, the child's previous history, and the success of the efforts to bring him to a proper frame of mind. But, on the other hand, the managers had the power, after 18 months' detention, to send children out on licence; and, out of the 7,000 children committed to reformatories, nearly 1,000 were out on licence. It was in the power of anyone interested in a particular child to bring his history and the facts connected with the case before the Secretary of State at any time. As to the age of admission, no child could be admitted into a reformatory under the age of 12, or into an industrial school under the age of eight years; but, as a matter of fact, the majority of admissions were between the ages of 14 and 16. By that age many of them were more or less hardened in crime, and a lengthy sentence was absolutely necessary to break down their vicious habits. Now, the question between his noble Friend and those who supported the contrary opinion was, what should be done with the large number of children over 14 years of age? He could well understand that younger children should be sentenced to a short term of detention, and then sent to school; but it was a different matter when you came to deal with those between the ages of 14 and 16. People were not willing to prosecute, unless they were satisfied that the accused were hardened offenders; and if they were, a long sentence of detention was absolutely necessary. Their Lordships would remember that there was an inquiry into the general question of secondary punishment, and that the conclusion come to was that sentences of three and four years' penal servitude were insufficient for their purpose, and did not effect any lasting change in the habits of the criminals. Therefore, the sentences were increased. At present, the shortest sentence of penal servitude was five years, and the majority of sentences were seven years. You could not deal effectually with children of 14 to 16, unless you had power to detain them sufficiently long, and to subject them to industrial training. The noble Lord had spoken as if the reformatory and industrial school system had been a failure, and said that the treatment was neither penal nor educational. That was not his (Lord Aberdare's) opinion, for it was not penal in the sense of inflicting corporal punishment, but it was as regarded forcible detention; and during the detention a certain amount of elementary education was given, and also a large amount of industrial training. He (Lord Aberdare) had immense faith in physical work, as it changed the child's vicious habits, and on his return to home life it was of the greatest possible importance. The question arose whether it was wise to make so large a change as that proposed in a system which it could be demonstrated had performed such extraordinary and admirable work. It was difficult to get anyone not intimately acquainted with the subject to understand fully the extraordinary change that had been effected in the criminal habits of our population since the establishment of these institutions. A striking proof of it was furnished by the last Report of the Director of Convict Prisons. In the period from 1865 to 1869 the average population was 24,680,000, and the number of sentences of penal servitude was 10,741, or an average of 2,148 a-year. From 1870 to 1874 the population numbered 26,240,000, and the sentences decreased to 9,051, or an average of 1,810 a-year. In the next five years the population was 27,530,000, and the sentences were 8,977, or an average of 1,799 a-year. There was thus a positive decrease of about 350 sentences a-year, while the population had increased by about 3,000,000. Moreover, the increase of population occurred in the large towns, where it was most difficult to overlook the criminal population, and where the greatest temptation existed. Statistics had shown that crime increased with the increase of the larger populations, and a town population of 400,000 would produce several times more crime than an equal rural population. The City and District of Dublin, with a population of 350,000, produced more criminal offences than all the rest of Ireland, with a population of 5,000,000. But crime had not continued to increase with the increase of population in the large towns, and with that increase of population there was a decrease in the number of sentences of penal servitude. The explanation was, that there had been drafted into these institutions a large number of children who were on the eve of becoming members of the criminal classes; they had been treated in a manner which, on the whole, was conducive to their reformation; the result was the supply of criminals had been cut off, and hence this astonishing decrease in the crime of the country. Anyone listening to the noble Lord would infer that the children discharged from these institutions must necessarily return to the criminal population; but was that inference consistent with the fact? The truth was the general statistics showed that four out of five of those discharged from these institutions were absorbed into the respectable part of the population, and Mr. Barwick Baker said that he succeeded in so distributing them with the fullest declaration as to their past history. With regard to the question of expense, he was aware that the sum required was very considerable; but a great part of it was not borne by the State. There were 64 reformatories that had been built without the help of a single penny from the rates, and 129 industrial schools, of which only 14 had been built by the prison authorities. He thought, however, that it was impossible for the State to lay out money more profitably than in building schools and reformatories; and if the Home Secretary, after due consideration, acted upon the Report of the Inspectors, he would probably receive the support of both sides of the House.

THE EARL OF CARNARVON said, that the first proposal of his noble Friend (Lord Norton), that the laws relating to reformatories and industrial schools should be consolidated, was evidently both expedient and reasonable. Indeed, he might go further than his noble Friend, and point out that, notwithstanding the arguments advanced on the other side of the House, the particular stage at which their experience of the industrial method had arrived constituted a juncture which made it proper, at all events, to consider how far the law admitted of modification. He fully admitted that the great success of the reformatory system was in itself a forcible argument against change; but there were other reasons which made it necessary to re-consider the question. In the first place, reformatories were being outgrown and overtopped by what he might call the second growth of industrial schools; and in the second, through the lapse of time reformatory and industrial school treatment had come very closely together—so much so, that it was difficult to distinguish one school from another. On looking at some recent statistics, he had been very much struck at the change which the money part of the question had undergone during the last few years. Those statistics proved the very significant, but not very agreeable fact that the question of expense had wholly altered of late years, and that a very much larger sum was now contributed by rates than used to be contributed, and a very much smaller sum by voluntary subscription. In 1860 the rates contributed £2,500 to reformatories; but in 1879, no less than £24,500. In the same way voluntary subscriptions had fallen from £24,000 in 1860 to £7,000 in 1879. Among other matters that seemed to require re-consideration was the question of the treatment of juvenile offenders. He had no doubt that, under the present system, boys were sent to reformatories much too young and kept much too late. It was, he thought, unwise in ordinary circumstances to keep lads nearly 20 in a reformatory, as was done in several cases, and the time had come when they ought not any longer to continue such a system. The morality of reformatories had not improved; and with regard to those elder inmates who poisoned the minds of the younger ones, instead of allowing them to be scattered and distributed among the schools generally, they ought to be collected into one or two separate schools, where they might be treated with discipline more than ordinarily severe. In that way they would be able to protect from contamination as far as possible those who were still inexperienced in crime. He approved of the suggestion to separate education from punishment, from crime, thinking that punishment should in the first instance be short and sharp, and then that education should follow; but he should require to consider the matter further before he could approve of the transfer of reformatory and industrial schools from the Home Secretary to the Education Department, as he entertained some doubt whether the Education Office did not already find its hands too full to undertake any fresh work; and in whatever change was effected, the penal element must not be allowed to drop out altogether. The other suggestions of his noble Friend required very close examination. His noble Friend might congratulate himself on the views he had elicited on this subject; and if it were his intention to bring forward a Bill dealing with the matter, he would do it with greater advantage after such an expression of opinion, as it would be a help to him in the framing of such a measure.*

THE EARL OF DALHOUSIE, in reply, said, that his noble Friend opposite (Lord Norton) had devoted so many years of labour and study to the consideration of that question, that he (the Earl of Dalhousie) felt some embarrassment in stating that, though it might have been possible for the Government to accept his Resolutions in the abstract, and with certain modifications, yet, as explained and interpreted by his speech, it was impossible for the Government to concur in them. His noble Friend had come to different conclusions from those at which the authorities at the Home Office had arrived. His noble Friend in his writings on this subject, as well as in the speech which he had just made, assumed that the criminal class of boys was not merely diminished in numbers, but had entirely disappeared. Now, he (the Earl of Dalhousie) regretted to say that this assumption was erroneous. He had asked the Inspector of Industrial Schools the other day what ground there was for supposing that the criminal class of boys had become extinct, and that gentleman replied that the only ground was that the managers of reformatories had in recent years been receiving younger boys than they had had before, as well as boys of a less criminal stamp, and that while he had no reason to suppose that the juvenile criminal class was extinct, for there were still many boys of a thoroughly criminal and vicious character to deal with, that class was no longer so large as it was, and fewer reformatories were now required than formerly. No doubt, reformatories had done a great deal in the way of reducing the numbers of juvenile criminals; but the Government were unable to take the same sanguine view as his noble Friend, and to say that the juvenile criminal class had practically disappeared. If the present system had produced the good results which were admitted, why, he should like to know, ought it to be abandoned? The system was not perfect, and the Government contemplated amending it considerably, but not in the direction indicated by his noble Friend. As to what his noble Friend had stated as to the effect of the Government having taken over reformatory and industrial schools, that it had imparted to them a penal character, he was not aware that in taking the schools over the Government in any way altered their character. It became necessary for the Government to take over these schools, but that did not involve or imply any alteration in their character. His noble Friend also complained of the correctional character of the discipline of these schools; but he did not think that there was any just ground for this complaint. If he only meant that the boys were detained against their will, that was perfectly true; but the boys were well kept, and were made as happy as possible. They were encouraged to respect themselves and to render themselves worthy of trust. There was a difference between reformatory and industrial schools, on which he (the Earl of Dalhousie) thought sufficient emphasis had not been laid. His noble Friend said the two classes of schools had become practically assimilated to each other. That was true in some respects to a certain extent. It was not, however, a part of the system that they should be assimilated to each other. On the contrary, as far as the two classes of schools had been assimilated to each other the system had been abused. It was perfectly true that there were many boys sent to both schools who ought never to be there at all. Many were sent too young, others for too trifling an offence, and others were kept too long; but that was not part of the system. These were mistakes, and in any amendment of the law the Government would endeavour to provide so that these abuses might be as few as possible. The essential difference between a reformatory and an industrial school was this—that a reformatory school in theory, and eventually it would be so in practice, was intended for criminal children, and for criminal children only. There was no way of entering a reformatory except through a prison. An industrial school, on the other hand, was primarily intended for those children who had no homes of their own to which they could go. He was told by the Inspectors of both the industrial and reformatory schools that, although the routine in both was much the same, there was in reality a great practical difference between the two establishments. There was, for instance, much stricter superintendence and discipline in the reformatory than in the industrial schools, and that difference between them would be far more marked if the law were more strictly carried out. His noble Friend had complained very much that the reformatory schools should be under the control of the Home Office; but there were several reasons why the control of these schools should not be taken from that Office and given to the Education Department. The children were sentenced by the magistrate for a specified length of time, and they could only leave these institutions by expiration of the sentence, or by Order of Council. It would, therefore, be a serious step to take the schools out of the control of the Home Secretary, in whom alone resided the power of remitting sentences and correcting mistakes which might, and sometimes did, inflict great hardships on young children. Further, he could not see in what respect these schools would be differently managed if they were transferred to the Education Department. He fully admitted that there were many points connected with these schools with which the Government were by no means satisfied, and which, in their opinion, were capable of amendment. One of those points was the cost of these schools; and when the law on the subject was reconsidered an inquiry would be made into the mode of meeting this large expenditure with the view to ascertain whether the contributions from the local authorities could not be increased in order that the amount of the Government grant might be decreased. There were several other changes that were desirable; but as it was the intention of Her Majesty's Government at an early period to introduce an amendment of the law concerning juvenile offenders, any change in the method of regulating industrial and reformatory schools would follow, if it did not accompany, such amendment of the law. He was, however, bound to say that the Government had no intention of departing from the principles of the present system. In spite of mistakes in carrying those principles into effect—mistakes which had marred, in some degree, the working of the reformatory and industrial school systems—the Government were convinced that the principles themselves were sound, and they intended to abide by them. They hoped that the number of reformatory schools would be diminished; and, in fact, during the last year two of these schools had been discontinued, and another would be discontinued during this year. The Government would endeavour to provide for a stricter classification of the children and young persons sent to reformatory and industrial schools; for he quite agreed with his noble Friend that nothing could be worse than to endeavour to make up the numbers in reformatory schools by sending into them a number of children who were not criminals, and who were only made so by being forced to associate with those who were. Only the older and more distinctly criminal children should be sent to the reformatory schools, while children whose only fault was that they had no home and no one to take of them should be sent to the industrial schools. These were the principles which had hitherto been embodied in the Act of Parliament, and the Government had no other desire than to adhere to them, and make proper provision for their being effectually carried out. In conclusion, he would say that, while he could not hold out any hope to the noble Lord that the principles he had advocated would be adopted by the Government, he thanked him in the name of the Government for having called the attention of the House to the subject.

THE EARL OF SHAFTESBURY said, he thought the subject one of great importance, and was glad to hear that it was engaging the attention of Her Majesty's Government. He agreed that it was very unfortunate that children should be kept for years and trained to consider themselves as criminals. It was, moreover, a great evil to mix up innocent with criminal children, although, undoubtedly, he had seen much good result from bringing criminal into contact with respectable children. If, however, it could be arranged that the punishment of a child would condone its offence, that difficulty might be removed. Moreover, these children should not be turned adrift after their period of education was over; but they should be placed in a postion that would enable them to make a start in life, as they often broke down in beginning the struggle for a living. The stain attaching to the children brought up in these schools was one of the first difficulties they had to get over in starting in life, and every endeavour should be made to insure its removal.

LORD NORTON said, that after what had fallen from the noble Earl opposite (the Earl of Dalhousie) he would withdraw the Resolutions; but, in doing so, he wished to point out how small the change was that he proposed, being, in effect, simply a transfer from the Home Office to the Privy Council.

VISCOUNT SIDMOUTH expressed a hope that the Government would remove the restriction which, in consequence of the existing Regulations, prevented the most promising of the lads brought up in these schools from entering Her Majesty's Navy. Formerly, no Admiralty Regulations on the subject existing, lads duly recommended were admitted at the discretion of commanding officers, who, of course, were not under the necessity of publishing their previous history. Everyone's experience could tell him how often it happened that the intelligent, restless, high-mettled youngsters, whose misfortune it had been to be born and bred in scenes of vice, were the first to fall under the clutches of the law, whilst the heavy, stupid, quiet lads rubbed through without much notice. The former, however, as could easily be demonstrated from well-known examples, often contained the true stuff, under dexterous management, to make a sailor; and those were now lost to the Public Service in consequence of the somewhat puritanical exclusiveness that existed in the Regulations.

Motion (by leave of the House) *withdrawn.*

## LAW RELATING TO THE PROTECTION OF YOUNG GIRLS.

### MOTION FOR A SELECT COMMITTEE.

THE EARL OF DALHOUSIE, in rising to move—

> "That a Select Committee be appointed to inquire into the state of the law relative to the protection of young girls from artifices to induce them to lead a corrupt life, and into the means of amending the same,"

said, the subject had from time to time occupied the attention of the Government for a good many years past. Several series of correspondence had taken place between the Foreign Office in London and our Diplomatic and Consular Agents in Belgium and Antwerp. The first occurred in 1874, and related to certain English girls who had been decoyed to Antwerp under false pretences:—An Englishman had visited the house in which they were immured, and one of them, who was kept there against her will, wrote a very touching and pathetic letter to the English Consul asking him to come and see her, in order that she might tell him her story. [The noble Earl then read the letter to the House.] He (the Earl of Dalhousie) would not mention the name, though the signature was there. The letter was intrusted to this Englishman, who, unfortunately, put it in his pocket, and forgot all about it till he came to London, when he delivered it at Great Scotland Yard. It was then forwarded through the Home Office to the Secretary of State for Foreign Affairs. Upon its receipt, the Earl of Derby communicated with the Consul at Antwerp. After investigation, one of the girls was found in a hospital. The second, the Consul reported, declined to be sent home, and the third, the one who had written the letter, had left clandestinely, and it was not known where she had gone. In fact, nothing more was ever heard of her again. In connection with the case, the Commissionnaire stated that the girls, who were unacquainted with the French language, had signed a formal declaration, printed in French, to the effect that they wished to become public prostitutes. Another correspondence took place in 1876 with respect to certain English girls who had been decoyed over to Antwerp; but in that case the English chaplain stepped in and frustrated the abominable purpose for which they had been brought over. Nothing more occurred until May, 1879, when the Consul at Antwerp reported to the Foreign Office in London that a well-known procurer named Klyber had been convicted in Belgium of decoying English girls under age, and sentenced to imprisonment for having infringed the Belgian law; but the man stated at the trial, what was the fact, that his doings were perfectly legal in England. There was no further correspondence until the year 1880. On the 3rd of June the Secretary of State for Foreign Affairs communicated with the Home Office, and suggested that a police agent should be sent to Brussels to make inquiries. That was accordingly done, but with very little result; for after making inquiries at Rotterdam, Antwerp, Calais, and Boulogne, the police agent reported that he had only found two English girls who had been decoyed away by false pretences. The case of one of these was very distressing. She had been decoyed to Brussels under the false pretence of a promise of marriage. He ought here to say that the Belgian law prohibited the registration of a girl under the age of 21 as a public prostitute; but if she was over that age, it did not interfere except to provide that all public prostitutes should be registered. In this case, the girl had a false certificate furnished to her, which the procurer told her at the police office she must show the police, as it was nothing but a Custom-house formality. The girl, who did not understand a word of French, and was not at all aware of the kind of place she was going to, was then conveyed from the police office, which she took to be the Custom-house, to the house of ill-fame. The case was the more cruel, because the girl happened to be of weak mind and suffered from physical malformation. After suffering great agony, she was eventually sent to hospital. Here she was informed by the police that, having registered herself in a false name, she was liable to 14 days' imprisonment, and on leaving the institution she underwent that term of imprisonment for having made use of a false certificate of birth, although she, unable to speak any language but English, was quite ignorant of the fact that she had been registered at all. In September last the noble Earl the Secretary of State for Foreign Affairs suggested to the Home Secretary that an inquiry should be made by some person unconnected either with the police or with any Government Office. The gentleman selected for this duty was a very well known and very able member of the English Bar, Mr. Snagge, who had performed the very difficult and delicate mission intrusted to him in such a manner as to call for the highest commendation. Mr. Snagge, who had the advantage of speaking French perfectly, made a full and exhaustive inquiry, both at Antwerp and Brussels. His first duty was to watch certain trials of keepers of brothels and procurers which were taking place at Brussels. The prisoners, some of whom had worked in England and elsewhere, were charged with having decoyed certain girls under age and counterfeiting certificates of birth. Convictions took place in all these cases, owing, in a very considerable degree, to the assistance received from Her Majesty's Consul at Brussels. During the progress of those trials, the fact was established beyond doubt that for many years there had been a traffic systematically carried on in England, and especially in the streets of London, whereby many English girls, most of them under the age of 21, had been enticed away to become inmates of brothels in consideration of fees or commissions paid by the keepers of the houses to the procurers who brought them over. Mr. Snagge was afterwards able to establish the fact that there were upwards of 20 procurers who had been at work to the knowledge of the police ever since 1865. The number of English girls decoyed to the Continent by these wretches they would never know; but Mr. Snagge was able to collect the names and establish the truth of the stories of 32 English girls who had been enticed away within the last 10 years, all of whom were under the age of 21, and had been registered by means of false certificates; and he was convinced that the number of cases he had established by inquiry formed but a small proportion of the total number. The Belgian law allowed registry at the age of 21; in 1879, 24 English girls were registered; and of these seven were found to have been under the legal age. Therefore, if Mr. Snagge had been able to identify 32 cases of girls under 21 during the last 10 years, the total number of English women exported for purposes of prostitution during that time was probably considerable. He (the Earl of Dalhousie) had seen *fac-similes* of the letters from the procurers to their clients; and he must say that if the writers did not refer specially to girls he should have thought they referred to some species of cattle, the market price being quoted at £12 for every girl landed, and the letters often contained photographs of the young women. There was no doubt whatever that the business was a very large one, and that many respectable girls were thus ruined. For the most part, they were decoyed over under the false pretence that they were to take situations in hotels or become actresses, and in other cases that they were to go into shops in which girls were required to speak English; but, being totally ignorant both of the language and the places, they were decoyed into brothels and there detained. Among the cases mentioned by Mr. Snagge, one young woman was engaged to enter an hotel, another was engaged as an actress, and a third, perfectly innocent, was sent from Brussels to Antwerp, there violated, then returned to Brussels and entered on the public registry. A fourth died at home in England from the treatment she had received. A fifth was deliberately seduced in England for the purpose of placing her in a registered house abroad. In these houses the women were treated as valuable cattle; they had plenty to eat and drink, and dissipation of all kinds was resorted to with the object of reconciling them to their mode of life. In theory the women were free; a proclamation posted up in six different languages stated that they were free to depart; but practically they were captives, ignorant of the language of the people they were among. The head of the establishment kept the key of the front door; and the inmates were shown to be heavily in debt to the keeper, by a ledger account over which they had no control, beginning actually with the heavy fee to the procurer for decoying them away. It was captivity of the most abominable kind. With regard to the English law on the subject, there was no doubt, as it stood at present, that these procurers could ply their trade in the streets of London and elsewhere with perfect security. There were three enactments which bore upon it without touching it, and the procurers were perfectly aware of this. The writer of one letter, after stating that he had two beautiful English girls to dispose of, remarked—"There is no danger; they will do nothing to you in London." That was true, for there was nothing in the three enactments to prevent the traffic. One made procuration by false pretences a misdemeanour; but if the false pretence could be proved, the offence was completed beyond English jurisdiction. The second enactment applied only to the abduction of women of property; and the third statute applied only to girls under 16. The Statute Law was, therefore, powerless, and the Common Law was equally useless to check the evil, because the difficulty of proving conspiracy at Common Law became an impossibility where some of the agents were abroad. Mr. Snagge had taken some pains to devise a remedy, and his suggestion was that there should be a short enactment passed making it a criminal offence to entice anyone to become a common prostitute, whether within the Queen's Dominions or not. That, however, would be a matter for the Select Committee to determine. The true remedy, of course, was to be found not so much in the punishment of the offenders when they were convicted, but in putting a stop to the practice. The ease with which it was possible for any person to obtain, at Somerset House, a certificate of the birth of any other person gave great facility to the procurers in the carrying on of their business. It was possible for a certificate of birth to be obtained without the knowledge of anyone concerned. No question was asked by the person who granted the certificates of birth. Mr. Snagge recommended that the same regulations should apply to the granting of these certificates as applied to the sale of poisons—that the address of the applicant should be taken down, and the purpose for which he wanted the certificate should be set against his name, so that an investigation might be made by the police as to who the inquirers were. He also recommended that instructions should be given to Her Majesty's Representatives abroad to require that, in the event of any English girl being registered in any brothel in a foreign town, information should be forwarded to the nearest English Consul, and that the Consul should be instructed to forward it through the Secretary of State to the police authorities in England. He had stated the grounds on which the Government asked for a Committee of Inquiry into the law bearing on that matter. He had shown, on the best authority, that a vile, abominable traffic in English girls, for the purposes of prostitution, was systematically carried on, which the law, as it stood, was incapable of punishing or preventing, but that the law might be easily made efficient. He might have made out a case even stronger than he had by quoting at length numbers of instances which, thanks to the zeal of Mr. Snagge, had been successfully traced and substantiated. He had, however, refrained from going into details, not merely because they were painful and heartrending in the extreme, but also because it would be impossible to do so without entering into particulars of bestiality and brutality which he thought it unnecessary to do. He felt confident he had said enough to show that the inquiry asked for was urgently needed. But he could assure their Lordships that when Mr. Snagge's Report was published they would see how mildly, if not inadequately, he had stated the case. It was impossible to look through that Report without feelings of the deepest indignation and disgust. It was no longer a matter of doubt that for many years past large numbers of English girls, some of whom were perfectly innocent, had been annually exported to supply the demand of foreign brothels. No one could ever know—because the victims had suffered in silence, cut off from intercourse with the outer world, and without the means of communication by letter with their friends, even if the sense of shame had not, for the most part, held them back from trying to do so—how many of those girls had been deliberately entrapped by the lying promises and inducements held out by the professional procurer in the exercise of his abominable calling. But there could be no doubt that, during the last 15 years, many Englishwomen had, against their will, endured a life of worse than living death, from which there was no escape, within the walls of a foreign brothel. He would fail if he were to attempt to give their Lordships an adequate description of the life of shame, degradation, and wretchedness which that vile, iniquitous traffic had inflicted on our countrywomen. Fortunately, there was no need for him to do so. He had said enough, and he felt sure that their Lordships would be of opinion that no time should be lost in putting a stop to a practice which, in arrant villainy and rascality, surpassed all that they knew of any other trade in human beings, and in any part of the world, either in ancient or in modern times. He begged to make the Motion which stood in his name.

*Moved*, "That a Select Committee be appointed to inquire into the state of the law relative to the protection of young girls from artifices to induce them to lead a corrupt life, and into the means of amending the same."—(*The Earl of Dalhousie.*)

THE EARL OF SHAFTESBURY said, that the House and the country were, he was sure, greatly indebted to the noble Earl (the Earl of Dalhousie) for the manner in which he had brought that painful subject before the House, and for moving for a Select Committee upon it; and he (the Earl of Shaftesbury) only hoped that it would prove the means of introducing some change in the law which would save hundreds of young persons from being decoyed and driven into a shameful life. Nothing more cruel, appalling, or detestable could be found in the history of crime all over the world than that abominable traffic. The noble Earl had understated his case. The Motion spoke of the artifices employed "to induce" young girls to lead a corrupt life. The noble Earl might have rather said "to force" them. Anything more horrible, or anything approaching the wickedness and cruelty perpetrated in those dens of infamy in Brussels it was impossible to imagine. A great many girls of tender age, under 16, went across the water in the most guileless innocence. In other cases, persons came over with sums of money, took lodgings, and engaged a young girl as lady's-maid. She went across, and was carried to one of those dens of iniquity, where she could not speak the language, knew no one, and was subjected to the grossest and most atrocious outrage. To allow such things to go on was most discreditable; and he would point out to their Lordships that while abroad the law prevented the harbouring in houses of ill-fame of girls under 21, there was no such restriction in England. Our law needed amendment in this respect. It was not only in Brussels, but in Paris and Vienna, and all over the Continent, that young English girls were to be found entrapped. The trade was a most profitable one. Large sums were given in all the great capitals for girls of tender years. All that showed the necessity of an inquiry to ascertain and to remedy that monstrous evil. He regretted, however, that their attention was also required to be directed to a matter nearer home. The constant importation of young Irish girls into London was frightful, and the Roman Catholic clergy could give their Lordships extensive information. He saw a noble Earl (Earl Spencer) before him who would bear him out when he said that if there was anything pure in the world it was a young Irish girl from the rural districts. As a matter of fact, however, they were imported by scores, being decoyed over here on pretence of "good situations" being obtained for them, and for whom procuresses waited at the railway stations and places of disembarkation. Much of this evil was effected through means of advertisements sent to the papers by advertising agents, who consigned them to houses of ill-fame in London. Of course, when the young girls were persuaded to go abroad to a country where they were utterly friendless, and of which they could not speak the language, their fate was certain.

There were also numbers of children of 13 years of age, and even lower, in London, who might be found in such places; and this was what would not be allowed even by Continental law. In his opinion, all the registry offices that issued advertisements ought to be compelled to keep accounts of the destinations of the girls, and of the names of the persons to whom they were recommended. That might prove a very powerful check upon the traffic. Such details, however, and many others, would have to be considered by the Select Committee. He could only say that, in order to stop the traffic now going on, it would be necessary to lay bare as many horrors and as much cruelty as had ever been exhibited in the history of the world.

THE BISHOP OF PETERBOROUGH said, he could not but express his deep gratitude to the noble Earl (the Earl of Dalhousie) and to the Government for the earnestness and courage displayed by them in dealing with this subject. The details of this traffic had become known to him (the Bishop of Peterborough) from several ladies in Paris, who were doing their best to deal with it in that city, and he could assure their Lordships that both the noble Earls who had spoken had understated the case; but it would have been hardly possible for them to have done otherwise, for it was impossible for any body of gentlemen truly and fully to state the details of the nameless misery and horror of this traffic as concerned the welfare of those whose cause the noble Earls had pleaded. God only knew how black a page, on the one hand, of human crime, and, on the other, of innocent human suffering, was disclosed by that traffic. He would remind their Lordships that the trade of these procurers was not confined to London, but it extended all over the country, and many poor girls were decoyed away to be sunk in the flood of iniquity of the great cities on the Continent, and it was the cause of many a poor country girl being lost to her sorrowing parents. Neither were foreigners more to be blamed than people in this country, because it was very well known that a similar traffic was carried on in London of decoying Belgian, French, and German girls over here. He rose not to add any further details or arguments to what had been already said, but to make one suggestion—namely, that it would be well, if possible, to spread among girls going abroad some knowledge of their future legal position as lodgers or as *employées*. It seemed to him that their complete ignorance of such matters necessarily increased their helplessness, and put them altogether in the power of unscrupulous persons. He again thanked the Government for taking the matter up, and in the name of English Christianity he wished them God-speed, and the Committee success in their labours. He should be glad to see the subject taken up and vigorously dealt with both here and abroad in the interest of humanity generally.

EARL GRANVILLE said, he only wanted to add one word on this painful subject. What had passed in the course of the discussion had shown that there was plenty to be done in connection with it, and strongly confirmed the opinion that Her Majesty's Government had taken the right course in asking for a Select Committee. He thought the noble Earl who introduced the subject (the Earl of Dalhousie) had done well in moving for the Committee without unnecessarily dwelling on the nauseous details inseparable from the question, while he gave ample proof of the necessity of the inquiry. In reply to the right rev. Prelate (the Bishop of Peterborough), he might say that it was not intended that the Committee should confine its inquiries to the traffic of the Continent; but it would also inquire into the state of the law as it affected this country. Representations were made to him last autumn in the matter. He suspected at the time there was exaggeration as to the facts; but it was his duty to put himself into communication with the English Minister at Brussels, and the English Consuls at different seaports, and he had found that there was no exaggeration. Of course it was difficult to deal with the regulations of foreign countries in reference to such a subject; but he was bound to say that, when representations were made to other Governments on the subject, immediate steps were taken to render assistance, and all the information that could be given was forwarded to our Consuls. He could only add that he quite concurred in the commendation given to Mr. Snagge for the able way in which he had carried out his investigations.

He thanked their Lordships for the cordial spirit in which they agreed with the Government that an inquiry should be made into that sad and discreditable subject.

On question, *agreed to.*

And on June 14, the Lords following were named of the Committee:—

M. Salisbury.
E. Mount Edgcumbe.
E. Belmore.
E. Cairns.
L. Bp. London.
L. Braye.
L. Leigh.
L. Penzance.
L. Aberdare.
L. Ramsay.
L. Tollemache.
L. Norton.
L. Mount Temple.

## JURY LAWS (IRELAND).

### NOMINATION OF SELECT COMMITTEE.

Select Committee nominated.

**Lord DENMAN**, in expressing his approval of the selection of the Members of the Committee, said, that, as it would cause much inconvenience to obtain evidence from Ireland, he thought it would be best for their Lordships to be re-appointed, like the Committee on Intemperance, and act upon the proofs which could be given to the Law Amendment Society, when in Dublin, of the imperfection of trial by jury in Ireland.

At Eight o'clock House adjourned during pleasure.

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House resumed at Eleven o'clock.

## SUMMARY PROCEDURE (SCOTLAND) AMENDMENT BILL [H.L.]

A Bill to amend the Summary Procedure Act, 1864—Was *presented* by The Lord Ramsay; read 1$^{a}$. (No. 99.)

## CUSTOMS AND INLAND REVENUE BILL.

Brought from the Commons; read 1$^{a}$; to be read 2$^{a}$ *To-morrow;* and Standing Order No. XXXV. to be considered in order to its being dispensed with.—(*The Lord Thurlow.*) (No. 98.)

House adjourned at a quarter past Eleven o'clock, till To-morrow Eleven o'clock.

# HOUSE OF COMMONS,

*Monday,* 30*th May,* 1881.

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MINUTES.]—Supply—*considered in Committee*—Civil Services and Revenue Departments, Further Vote on Account—Class I.—Public Works and Buildings, Votes 6 to 24; Class II.—Salaries and Expenses of Civil Departments, Votes 1 to 41; Class III.—Law and Justice, Votes 1 to 4, 6 to 24, 29 to 38; Class IV.—Education, Science, and Art, Votes 1 to 19; Class V.—Foreign and Colonial Services, Votes 1 to 7, and 9; Class VI.—Non-Effective and Charitable Services and Retired Allowances, and Gratuities for Charitable and other Purposes, Votes 1 to 10; Class VII.—Miscellaneous, Votes 1 and 2; Revenue Departments, Votes 1 to 5.

*Resolution* [May 27] *reported.*

Private Bill (*by Order*)—*Considered as amended*—Great North of Scotland Railway.

Public Bills—*Committee*—Land Law (Ireland) [135]—r.p.

*Third Reading* — Land Drainage Provisional Orders * [153]; Local Government (Ireland) Provisional Orders (Bandon, &c.) * [163]; Local Government Provisional Orders (Halifax, &c.) * [159]; Customs and Inland Revenue * [136], and *passed.*

## *PRIVATE BUSINESS.*

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## GREAT NORTH OF SCOTLAND RAILWAY BILL (*by Order.*)

### CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

**Mr. J. HOWARD** said, that, in the absence of his hon. Friend the Member for Forfarshire (Mr. J. W. Barclay), he had a Motion to submit in regard to this Bill.

**Mr. SPEAKER**: Does the hon. Member speak on behalf of the promoters of the Bill?

**Mr. J. HOWARD**: No; against it. He appeared there in the absence of his hon. Friend the Member for Forfarshire to oppose the Bill; and he begged to move, as an Amendment—

"That, pending the inquiry into Railway Rates and Charges by the Select Committee of this House, the Consideration of the Bill be postponed."

The original intention of the Bill was to make a new branch line, with power to increase the rates over such line. The Select Committee to which the Bill was referred refused the power of extending the line, but, strangely enough, consented to grant powers for increasing the rates. He wished to point out that if the decision of the Select Committee were confirmed by the House, the effect would be to increase the rates for the carriage of lime and manures, in the case of lots under two tons by 50 to 100 per cent, and in the case of lots over two tons by 25 to 33 per cent. A similar increase was allowed in the case of stones, bricks, coals, tiles, slates, draining materials, and iron. Another objection to the Bill was that it altered the classification of manures which was adopted in the Model Clauses Bill of 1845—the Model Act of 1864—and which was to be found almost uniformly in every Railway Act down to the present day. Another objectionable feature of the Bill, which had been confirmed by the Select Committee, was that it empowered the Company to raise the weight for parcels in certain classes of goods from 500lbs., at present the limit in nearly every Act, to two tons in certain cases, and four tons in others. The opponents believed that this decision was without precedent upon an opposed Bill, and it was tantamount to a general increase of maximum rates, pressing with great severity upon small farmers and traders. The Railway Company alleged that the Bill was required because they wanted money for the passenger service; and, forsooth, for that purpose they asked Parliament to impose an additional tax upon the farmer. The opponents submitted that, in the present condition of agriculture, it was very undesirable that the additional taxation proposed by the Bill should be imposed upon the shoulders of the tenant farmers. That the present rates were ample and sufficient for their purposes, and were remunerative, would appear from the simple fact that the net return of the Great North of Scotland Railway, on all the traffic of the line, was higher than that of the other Scotch railways. The following extract from a statement prepared in June, 1880, by the late manager of the railway, Mr. Milne, who held that office for 30 years from the beginning of the railway, was conclusive upon the point. Mr. Milne reports that—

> "The net revenues amount to £29,000,000 for all the railways, and to £161,000 upon the Great North of Scotland alone, the latter being equal to an average return of upwards of 5 per cent on the Company's net expenditure of £3,000,000 (about £10,000 per open mile), as compared with only 4¼ per cent per annum on an average of all the Companies in the Kingdom —a striking result, to be explained mainly by the economy exercised both in capital expenditure and daily working. That the dividend on the ordinary Stock is no more than at present is accounted for, as formerly explained, by the duplication of that Stock under the Amalgamation Act of 1866, which converted or duplicated each £100 of the original Stock into £240, so that a dividend of only 1½ per cent on the ordinary Stock, as at present constituted, is equal really to a dividend of nearly 4 per cent on each £100 of the original ordinary Stock, and so on in proportion; and the high rate of preferential dividend, ranging from 5 to 10 per cent on some of the Guaranteed Stocks, also contributes to keep down the present state of dividends on the ordinary Stock."

The average net return of Scotch railways, abstracted from the published accounts, showed that the dividend paid by this railway was greater than that paid by any other railway in Scotland. The Glasgow and South Western Railway paid 5 per cent; the North British 4 per cent; the Caledonian 3½ per cent. The average of the three leading Scotch lines was 4 per cent, while the Great North of Scotland and branches, including Strathspey and Deeside, paid 5 per cent, and the average of the Highland and Skye and Sutherland lines was 4¼ per cent. It was not his desire, nor would it be necessary, to trouble the House with a large number of details. He would only point out that the real object of the Bill was to defeat and reverse a decision or judgment pronounced by the Railway Commissioners, and confirmed by the Court of Session in Scotland, by which the Great North of Scotland Railway Company were required to convey all kinds of manures in the lowest class. The fact was, that for a good many years the traders and farmers of the district through which this railway runs had, in their innocence, believed that no Railway Company could be so dishonest as to impose charges beyond those to which they were legally entitled by their Act of Parliament. However, the farmers and traders at length had their attention called to the subject, and having been led to examine the Acts of the Company, they discovered the injustice to which they had been subjected. At great expense they obtained a judgment to compel the Company to observe the law. For many years the Great North of Scotland Railway had greatly overcharged for coal, lime, and grain, as well as guano and artificial manures. The Company did not come to Parliament for power to enable them to refund the money they had unjustly abstracted from the pockets of their customers; but they came to the House of Commons now to legalize a system which was begun in injustice and dishonesty. He believed that these increased powers were, in reality, not put forward simply on behalf of the Great North of Scotland Railway alone, but in the interests of all the great railways in the Kingdom. As the opponents of the Bill very justly observed, in a Circular they had issued—

> "It was difficult to see on what ground it would be possible to resist the claims of other Railway Companies to similar concessions."

He submitted that the decision of such a question, fraught with important consequences to the small traders and farmers throughout the country, should not be given until the Select Committee on Railway Rates, which was at present receiving evidence upon this and other questions affecting charges by railways, should have made their Report to the House. Upon these, as well as upon other grounds, he begged to move the Amendment which stood in his name.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "pending the inquiry into Railway Rates and Charges by the Select Committee of this House, the Consideration of the Bill be postponed,"—(*Mr. James Howard,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. PORTMAN remarked, that, as he had had the honour of presiding as Chairman of the Committee to whom the Great North of Scotland Railway Bill was referred, perhaps the House would allow him to say a few words in answer to the remarks of the hon. Member for the County of Bedford (Mr. J. Howard). The Committee very carefully considered the question of the re-classification of artificial manures, and they were of opinion that the demand of the Railway Company for a re-classification was one that ought to be granted by Parliament. He would point out to the House that under their former classification they were carrying valuable artificial manures at the same rate as ordinary stable manures, worth, perhaps, 7*s.* 6*d.* per ton, whereas the artificial manures were worth from £2 up to £15 a-ton. He might remind the House that in the Clearing House Classification of 1852 guano was classed with grain, which was one class higher than the Bill of the Great North of Scotland Company proposed to fix. He would also remind them that the Royal Commission which sat in 1867 recommended the classification he had referred to as the basis to be adopted in Railway Acts of Parliament for the future. There were also several other cases in which Railway Companies had sought powers from Parliament for a re-classification of artificial manures, which powers had been granted to them. He might mention one case in particular which occurred as long ago as 1867—namely, that of the North Eastern Railway Company of England, which applied for power, and obtained it from Parliament, to put valuable artificial manures in a higher class than the ordinary scale of rates imposed for farmyard manures. He might add that the Clearing House Classification of 1852, to which he had already referred, placed guano in a higher class than the Great North of Scotland Bill proposed to place it in. Touching the question of differential rates, it was proved to the satisfaction of the Committee that this Railway Company were working their small parcel traffic at a dead loss to themselves, and the Committee accordingly gave them power to alter their differential rates, because, in the opinion of the Committee, there was no question that they ought to be allowed to have such a power. With regard to terminal charges, hon. Members would be well aware that terminal charges were sanctioned by every Railway Act in this country. He believed that an attempt was made some years ago by a Committee composed of Members of both Houses of Parliament to fix maximum terminal charges. That Committee—a very able Committee too—decided that it was not necessary, but most undesirable, to fix a maximum; but that the word "reasonable" in connection with terminal charges was a matter to be determined between the Railway Companies and their customers. If the House agreed to the Amendment of his hon. Friend the Member for Bedfordshire, they would, in all probability, postpone the matter indefinitely. They all knew the result of putting off a decision until a Select Committee of the House had time to present a Report. The Select Committee might report this year, or it might not. At all events, it was highly probable that some years would elapse before Parliament could act upon their Report; and he would, therefore, ask the House not to be led away by the reason assigned by his hon. Friend for his wish to put off the consideration of the Bill. He did not think it would be fair towards the Great North of Scotland Railway to postpone the Bill, and he earnestly hoped the House would be induced to support the recommendations of the Select Committee, who had been appointed by the House to inquire into the merits of the Bill, and to reject the Amendment of his hon. Friend the Member for Bedfordshire. One word more before he sat down. He wished to remind the House that if they sanctioned the Bill as it stood they would not be fixing a minimum, but a maximum rate. That maximum rate was one which it would be in the power of the Railway Company at any time, if they found their business falling off, to reduce without having to apply to Parliament for its sanction. They would have full power to reduce the rate of their own accord, and he believed they would be sharp enough to see whether a reduction was required in view of their own pecuniary interests. In regard to future legislation upon railways, he wished to remind the House that in the Bill they were now discussing there was a clause which provided that nothing in the Act should exempt the Company or the railways from the provisions of any general Act relating to railways, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels. He hoped the House would be of opinion that the Select Committee had exercised a wise discretion in the matter. He really believed that the Committee had only done what was fair in the matter towards the Great North of Scotland Railway Company, and he believed the public would have great advantage in a better service of trains. For these reasons he trusted that the House would be disposed to reject the Amendment of his hon. Friend.

LORD RANDOLPH CHURCHILL thought the opponents of the Bill were placed in a somewhat awkward position in the matter. Indeed, those who opposed a Private Bill always found themselves in an awkward position. If they objected to a Bill on the second reading they were told—"Oh, that is most unusual. For heaven's sake let it go upstairs, where it will receive every consideration." That argument was generally sufficient to defeat the opposition to the second reading of a Bill in a most effectual manner. Then, when it came down from the Select Committee, if any hon. Member presumed to oppose it he was at once told—"How can you ask the House to throw out a Bill which has already been carefully considered by a Committee?" Somehow or other these two arguments generally exercised a strong influence on the House. He had not a word to say against the Committee which had sat upon the present Bill. He was sure they had taken every possible trouble and care to arrive at a proper conclusion upon it; but he thought they had not had their eyes open—as had too often been the fate of hon. Members of that House—to the peculiar artifices of the Railway Companies and their general mode of dealing with Parliament. Now, what was the origin of this Bill? The Company first of all pretended to come to Parliament to make a new line, and upon that line they asked to be allowed to impose terminal charges. In their Bill the Company inserted what were called the Staffordshire Clauses, and they asked for powers to raise their rates along the whole of their line. The *primâ facie* ground for coming to Parliament was that they might have authority to make a new line. The Select Committee declined to allow them to make a new line, so that the *primâ facie* ground of the Bill was destroyed altogether. The next ground, which was the real ground for coming to Parliament, was to raise the rates to the farmers of Banffshire and that neighbourhood, and they attempted to get from the House of Commons permission to do that which they had really been doing for a great many years illegally, and what they would still have been doing if the Railway Commissioners had not stopped them. The decision of the Railway Commissioners was afterwards confirmed by the Court of Session in Scotland; and thus, two judgments being against them, the Company, with unparalleled audacity, came to that House to ask the House to do what the Railway Commissioners and the Court of Session had pronounced to be altogether unjust. He would ask the House to consider what had been going on in a very large and influential Committee of that House. If any hon. Member had had the opportunity of reading, and had taken the trouble to consider, the evidence which had already been presented to that Committee, he would find that the Railway Companies were accused generally of making unfair charges, unequal charges, and unreasonable terminal charges. There had been mountains of evidence presented to the Committee already to this effect. He might be told that the case of the Railway Companies had not yet been submitted to the Committee.

Mr. LOWTHER rose to Order. He wished to know if it was in Order for the noble Lord to allude to what was going on in a Committee upstairs?

Mr. SPEAKER ruled that the noble Lord was in Order.

Lord RANDOLPH CHURCHILL thought the hon. Member who interrupted him must have omitted to notice that the Amendment submitted by the hon. Member for Bedfordshire (Mr. J. Howard) asked the House not to deal with the Bill at present, because a Committee was sitting at this moment upstairs on a question of Railway Rates. It was, therefore, a fair argument to refer to the nature of the evidence already given before that Committee; and he thought the general result of what was taking place upstairs was that they should be very careful how they proceeded in these matters, and how they consented to place unbounded confidence in the views of a small Committee of three or four Gentlemen, with, perhaps, only one really active man upon it in regard to railway legislation. The hon. Member opposite (Mr. Portman), who was Chairman of the Select Committee, said that the value of artificial manures was greater than the value of stable manure. But that had never been admitted to be a proper basis of railway charge. It had never been admitted that the value of any article should determine the price to be paid for the carriage of it. The hon. Member had alluded to the recommendations of the Royal Commission of 1857, and said that they were in favour of a different classification; but at that time there had not been the serious agricultural distress which had prevailed since, which rendered it almost a matter of life and death to the agricultural inrest that the railway rates should not be raised. Then the hon. Member talked, also, of terminal charges. On all these points it was very unfortunate that they could not allude to the evidence before the Railway Committee, because he believed it would supply a large amount of valuable information which might determine the House in accepting or rejecting the present Bill. The hon. Member said that if the House consented to put off the Bill now they would put it off indefinitely. As a matter of fact, the proposal of the hon. Member for Bedfordshire would do no such thing. It would only put it off for one Session. There must be legislation next year, in order to renew the powers of the Railway Commission, or else the Commission would expire; and he did not suppose that the House of Commons would lightly consent to allow it to expire. And, therefore, after the Committee on Railway Rates should have reported, and the powers of the Railway Commissioners should have been renewed, it would be quite time enough for this Railway Company to come to Parliament for a revision of the rates they were now entitled to charge. But at this moment it would be imprudent and unjust to allow any Railway Company, in the absence of the information which was about to be placed before Parliament, to increase their rates, and to do what two legal tribunals had already decided they had not the power to do.

Mr. EVELYN ASHLEY said, the proceedings of the Select Committee on Railway Rates had nothing whatever to do with the question before the House; but he wished to say a few words as to the view of the Board of Trade on the present Bill. The question which arose was simply this—the Committee on the Bill upstairs had exercised its discretion, and, after a careful examination of the evidence and of the facts of the case, had given to this Railway Company powers which were by no means unusual, and were only the same as almost every important railway in the Kingdom had got. If hon. Members would look to the position taken by the Committee, they would find that the terminal clause in the new classification of artificial manures, and other provisions contained in this Bill, were provisions which had been inserted in almost all the Bills of the great Railway Companies for the last 10 or 15 years. At the end of the Bill the promoters inserted a clause to provide that any change of legislation which might modify the charges of Railway Companies should apply also to the Great North of Scotland Railway Company. Therefore, the question the House had to consider was this—was it going, because it happened that a Committee was sitting to inquire into a general question of railway rates—was it going to refuse the Great North of Scotland Railway Company, with the uncertainty of what the decision of the Committee would be, the privileges and powers which had already been granted to other Railway Companies, owing to the accident that the North of Scotland Company came to Parliament at the time the Committee on Railway Rates happened to be sitting. He humbly submitted that if they listened to what the noble Lord the Member for Woodstock (Lord Randolph Churchill) said, and adopted the conclusion at which the noble Lord had come, and on that ground refuse to sanction the decision of the Committee upstairs, they would be actually prejudging the questions submitted to the Select Committee on Railway Rates before hearing the other side of the story. If the Report of the Committee on Railway Rates, when it was presented, should be found to invalidate what was done by the present Bill, future legislation would set the matter right.

Mr. SCLATER-BOOTH declined to enter into the subject of the inquiry that was going on upstairs, although he was a Member of that Committee, nor would he pretend to form a definite opinion upon the questions which had been placed before that Committee; but he would submit that there was this salient fact—that very grave charges had been made against the Railway Companies for charging rates in excess of the maximum rates laid down in their Acts of Parliament. It had also been stated practically before the Committee that Parliament, behind the back of the public as it were, had from time to time raised the maximum rates, and that although the Board of Trade was *primâ facie* bound to report in all such matters to Parliament, yet that hitherto Parliament had had no opportunity of saying whether such charges should be made or not. Parliament had, however, an opportunity of saying, in regard to the present measure, whether, under existing circumstances and considering the grave charges which had been made, it would allow, in this particular instance, at this particular moment, a serious increase of rates to be made. He must say, without for one moment wishing to dispute the propriety of the view formed by the Committee on the evidence before them, but seeing that the Committee had not had before them the charges made against the Railway Companies generally in the Select Committee on Railway Rates, which would at some subsequent period be the subject of a Report to the House, he must say that it did seem only reasonable that further procedure in regard to the present Bill should stand over until the Report of the General Committee had been presented.

Mr. WEBSTER said, he should have been quite content to leave to the statements which had been made by the Secretary to the Board of Trade (Mr. Evelyn Ashley), and by the hon. Member who presided over the Select Committee upstairs to which the Bill was referred (Mr. Portman), any defence of the Great North of Scotland Railway Company, who were promoting the Bill, if it had not been for the fact that certain charges had been made against the Railway Company by the hon. Member for Bedfordshire (Mr. J. Howard) and the noble Lord opposite (Lord Randolph Churchill), which he thought it necessary, in the interests of the railway, to deny. It had been said by the hon. Member for Bedfordshire that this Company had been acting in defiance of its own Acts of Parliament for a considerable number of years until they were brought to book by the Railway Commission. He hoped the House would allow him to explain how the matter was, and what the position of the Railway Company was. Owing to a misunderstanding between the Railway Company and the traders as to the construction of one of the provisions of its Acts of Parliament, a case was brought before the Railway Commissioners as to its meaning. Certain traders put one construction upon the clause, and the Railway Company put another. The Railway Commissioners decided that the Company were wrong; and, upon an appeal to the Court of Session in Scotland, the decision of the Railway Commissioners was confirmed. It was a purely a question of law, and the decision of the Court of Session and of the Railway Commissioners had nothing whatever to do with the matter now before the House. The hon. Member for Bedfordshire had also said that the Great North of Scotland Company were paying a higher dividend than any other Railway Company in Scotland. The hon. Member must have been greatly misinformed. This unfortunate Company was paying nothing upon its ordinary shares, and for the last half year there was a deficiency upon its preference shares.

VISCOUNT FOLKESTONE, as a Member of the Committee who had sat upon the Bill, hoped the House would allow him to say a few words. He was bound to confess that, as the Representative of an agricultural constituency, when the Bill first came before the Committee he had almost made up his mind to prejudge the question, and to oppose any attempt on the part of the Great North of Scotland Railway Company to raise their rates; but when he came to hear all the evidence and everything that was to be said, both in favour of the Railway Company and against it, he entirely turned round, and came to the conclusion that it was only fair the Railway Company should be permitted by Parliament to raise their rates to a certain extent as proposed by the Bill. He felt that although he represented an agricultural constituency, yet, at the same time, no agriculturist would wish to be benefited by what was manifestly unfair towards any other class. The Committee had evidence before them that the rates the Great North of Scotland Railway Company were permitted to charge had been settled as long ago as 1859, when guano and other artificial manures where almost, if not entirely, unknown. They had also evidence to inform them that dung and stable manures were allowed to be charged at the same rate as artificial manures, although the price of the latter was as high as from £12 to £15 a-ton, and there were none of a less value than £10 a-ton. They further found, from the evidence laid before them, that almost every other Railway Company in England, Scotland, and Ireland were permitted to charge differential rates for artificial manures, and they thought it only fair and right to permit this Railway Company to do the same. It appeared that the rates the Great North of Scotland Railway were permitted to charge were lower than those charged by any other railway in the United Kingdom; and, therefore, after very careful consideration, the Committee unanimously came to the decision that it was only right to permit the Company to have the provisions asked for in the Bill, so that they might be able to increase their rates, and not be compelled to charge lower rates than any other Railway Company. It had been said by the opponents of the Bill that the Railway Company were charging illegally increased rates some time ago, and that it was so decided when a case was brought before the Railway Commissioners. But the Railway Commissioners said the case was a very hard one indeed; and they added—

> "Although we will not permit you to raise the rates, still we would recommend the Great North of Scotland Company to apply for a Bill to enable them to do so."

He trusted that the House would not defeat this measure upon the consideration of the Report of the Committee, because he was quite sure that it was only fair towards the Company that they should have the power of increasing their rates. They were told by the noble Lord the Member for Woodstock (Lord Randolph Churchill) that it was a matter of life and death to the agricultural interest in that part of Scotland that the rates should not be increased. [Lord RANDOLPH CHURCHILL: No, no!] Now, these artificial manures were worth from £10 to £12 and £15 a-ton, and the Committee allowed the Company to increase the rates by a very small percentage. Yet they were told that the result of such an increase would be to increase the price of artificial manures to the farmers to a very great extent. The hon. Member for Forfarshire (Mr. J. W. Barclay) was a farmer on some part of this line, and the hon. Member for Bedfordshire (Mr. J. Howard) had been put up by the hon. Member for Forfarshire to oppose the Bill, because the rates charged to the hon. Member were likely to be increased. The Committee had evidence before them as to the amount to which the rates paid by the hon. Member for Forfarshire and other farmers in that part of the world, who farmed a similar quantity of land, would be increased, and it was shown that the additional charge would come to the alarming sum of 10*s.* 6*d.* in the course of the year.

Mr. CRAIG said, the claim had been put upon the ground that similar charges had been put into Railway Bills during the last 15 years; but he would remind the House that every Company came and increased the rates to the extent of 15 per cent in 1859. At that time they must have been perfectly well acquainted with the fact that guano and artificial manures were not classified with coal or grain, but with ordinary stable manures. They said nothing about terminals in 1859, although they must have been perfectly aware of how much would be required for terminals when they obtained a general rise of rates. He would not have taken part in that debate had he not observed that a desire to raise railway rates was an epidemic which was spreading far and wide. It began in North Staffordshire in 1880, and now they had this application on behalf of the Great North of Scotland. The rates in North Staffordshire had been very similar to this. The North Staffordshire Railway, for many years, charged above their maximum rates, and it went on with the consent of the traders, who were aware that they also charged below their maximum in many cases, and were using that railway conscientiously for the development of the resources of the district. But they were assailed by a trader in 1878, and judgment was obtained against them. They had come to Parliament in 1879, just as that Company had done, in order to rectify and make plain that error in their Act which had led to the over-charge, and to obtain an increase of rates. The traders opposed that, and while they opposed it the Company were unable to obtain the increase which they sought. They thereupon held public meetings in the district, and agreed with these traders upon terms, and came in 1880 with an unopposed Bill and got what they wished. That Company ought to be required to do the same thing. They had charged more than their maximum, though upon less justifiable grounds, because there was admittedly an error in the North Staffordshire Act; but in that case there was none. The phraseology was such as to lead to no such misunderstanding, because manures were all classed together. He quite admitted that it was right to come forward and ask Parliament to rectify any errors; but when they considered that that Company came to increase the rate to the extent of 25 per cent in 1859, he thought it was too much that they should come forward now and seek another increase to the extent of 50 and 100 per cent under the cover of re-classification of those manure rates. Then, when they came to consider that this very thing that they were now re-classifying — artificial manures — was exceptionally high, they ought to pause before giving them this power. He did not think that any railway in the Kingdom charged as high for the carriage of coal as that Company. He might, perhaps, be allowed to observe this. In Ireland there were lines of railway being complained of as charging excessively high rates for manures and coal, and agriculture and trade suffered by consequence. It was stated that they were 1½*d.* per ton per mile for coal and 1¼*d.* for guano; and that was said to be destroying the vitality of the agricultural industry of Ireland, and preventing the carrying on of trade. The complainants were petitioning for a reduction of both the coal and artificial manure rates. But here was an application by the promoters of this Bill for 2½*d.* per ton per mile for coal and manure; and if they were to grant this concession to this Company they might depend upon it that all the railways in the Kingdom would come and ask for the same thing. If there was to be a re-classification, let the whole question be considered. The present opposers of the Bill did not object to an increase for artificial manures, provided that they reduced the rates upon coal. He asked—What right had this Company to obtain a re-classification of certain goods without the traders having a word to say; and, in fact, they ought not to be allowed to do so without going into the whole question of re-classification. The hon. Member who sat as Chairman on the Select Committee (Mr. Portman) had referred to the patience with which the Committee had gone into that question. He did not dispute that at all. But there was one statement made by the leading counsel for the promoters which he thought was quite sufficient to shake the confidence of hon. Members in the decision of the Select Committees appointed to consider questions of this nature. It was stated that the Brighton Railway Company came to oppose an opposition Bill, and offered inducements for the rejection of the Bill by proposing to bring in a Bill to reduce their rates if the Committee would throw out that Bill. They did so upon this undertaking, and the rates were accordingly reduced; but three years afterwards they came and got the rise again. If there had been sound judgment on the part of the Committee they would not have necessitated this three years' disturbance of the tariff; but the fact was the decisions of Select Committees were notoriously uncertain and unreliable from well-known defects of such a course so hastily extemporized. He submitted that the Bill should go back, and that this Company should be required to allow the traders to come forward and state their case and agree with them upon terms, as was done by the North Staffordshire Railway Company, which was their only precedent.

Sir ALEXANDER GORDON said, he found from a Circular issued that morning to hon. Members of the House that his name had been attached to a statement issued on behalf of the promoters of the Bill without his knowledge and contrary to his intention. He was anxious to show how the mistake occurred. The day after the Committee upstairs reported upon the Bill a meeting of persons interested in the questions contained in the Bill was held; and, being a Representative of the part of the country affected by the measure, he was asked to attend the meeting, and the Minutes of that meeting were drawn up. Some days after a printed paper was brought to him in the Lobby, which he imagined to be a printed copy of the Minutes of the meeting, and he signed the document under that impression. He afterwards found that it was not a copy of the Minutes of the meeting, but a printed copy of the Circular which had been distributed to hon. Members. He wished to add that he did not for a moment suggest that there had been any breach of good faith on the part of the Gentleman who brought the document to him to sign; but it was one of those unfortunate misapprehensions which occasionally did occur.

Mr. PLUNKET remarked, that it was extremely unusual, as the House well knew, to oppose a Private Bill on the consideration of the Report, after the whole of the circumstances connected with it had been inquired into by a Committee upstairs. In regard to the present Bill, since it was discussed upon the second reading, it had undergone considerable modification in order to meet the objections of some of those who were opposed to it. It then went before the Select Committee, and that Select Committee had unanimously reported in favour of it. He did not think—unless it should be shown that some very special circumstances existed in this particular case which vitally affected the Bill—that the House, after what had fallen from his noble Friend behind him, the Member for North Wilts (Viscount Folkestone), ought to reject the measure. The only exceptional circumstance pointed out by the opponents of the Bill was that there was a Committee sitting upstairs which was engaged in inquiring into the whole question of railway rates and charges. It was impossible now to go, in any detail, into the merits of the Bill, and it was only on general principles that the House could be asked to depart from its usual practice. In this case, the general objection assigned was that the Committee on Railway Rates might, some day or other, report in a way that would be unfavourable to some of the provisions of the Bill. If the Committee did so report, nothing would be easier than to alter the powers of this Railway Company in conformity with such a Report of the Committee; and he found that for that very purpose a clause had been inserted in the Bill—Clause 21—which ran as follows:—

> "Nothing in this Act contained shall exempt the Company or the Railway from the provisions of any general Act relating to Railways

or the better and more impartial audit of the accounts of Railway Companies now in force, or which may hereafter pass during this or any future Session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels."

As this clause met the only legitimate objection that could be raised, he thought it would not be wise to depart from the ordinary practice of the House.

Mr. CHAPLIN said, the railway interest had been so ably represented by the right hon. and learned Gentleman who had just sat down, the Representative of the University of Dublin (Mr. Plunket), and by others in the course of the present debate, that he hoped he might be permitted to say a word on the part of the agricultural interest. He certainly was not able to say that the hon. Member for Bedfordshire (Mr. J. Howard) had been put up to make this Motion by the hon. Member for Forfarshire (Mr. J. W. Barclay), as his noble Friend (Viscount Folkestone) had said; but he was delighted to think that at last, upon an agricultural question, he was able to find himself in the same Lobby as the hon. Member for Bedfordshire. He tendered his thanks to the hon. Member for the course he had taken. He thought the hon. Member had done the agricultural interest good service upon this question; and after having heard all that had been said, and without wishing to prejudge the question, he did not think he should greatly err if he gave his vote in support of the Amendment. The ground on which he objected to the Bill was of the broadest and simplest character. He had received that morning a Paper purporting to be a statement in behalf of the consideration of the Bill. In that Paper he found the objects of the Bill enumerated, and the first was to raise the charges upon artificial manure to a higher rate than those charged upon farmyard manure. He thought that any Bill which proposed to increase the charges upon the farmers was quite sufficient to insure its own condemnation. It was the very thing which those connected with the agricultural interest did not want. They objected altogether to higher charges being placed upon agricultural produce, and on this ground alone he should go into the Lobby against the Bill.

Sir WILLIAM HARCOURT thought the hon. Member for Mid Lincolnshire (Mr. Chaplin) had not put the matter upon a proper ground when he said that it involved a contest between the railway interest and the agricultural interest. There was a question which concerned that House a great deal more, and that was the power of getting through the Business of the country if, by rejecting the unanimous decision of a Select Committee upon a Private Bill, the House gave encouragement to the fighting out of these questions at half-past 4 o'clock in the afternoon. He entered a protest against the course now taken; the Committee upstairs had carefully gone through the whole of the evidence, and had now presented their Report; and if every interest which considered itself aggrieved by the decision of the Committee was to be encouraged to fight out the battle again on the floor of the House, there would be no end of such contests in future, involving a very great waste of time. Therefore, in the interests of the Public Business, he entreated the House to consider what would be the result of adopting the Motion of the hon. Member for Bedfordshire (Mr. J. Howard) and rejecting the Bill. Personally, he was quite satisfied with the statements which had been made by his hon. Friend behind (Mr. Portman) and by the noble Lord opposite (Viscount Folkestone). He did not believe that the increased charges which the Bill authorized the Great North of Scotland Railway to make would be detrimental to the agricultural interest; and he, for one, would vote, as he always intended to do—unless there were much stronger grounds than had been shown in this case—in support of the unanimous decision of the Select Committee upstairs.

Mr. E. STANHOPE thought he was entitled to make a remark, inasmuch as he was the first Member of the House to object to the provisions of the Bill on the second reading. The reason why he did not on that occasion press his objection, and go into the Lobby against the Bill, was that the measure at that time contained provisions for the construction of a new line, which, he thought, ought not to be jeopardized by an opposition to other provisions of the Bill. Since that time, the Bill had been before a Select Committee, and the provisions relating to the making of a new line had been struck out, so that the question the House had to deal with now was simply that which related to the increase of rates. He quite agreed with the statement of the right hon. Gentleman the Home Secretary that the House ought to respect the decision of a Select Committee on a Private Bill. He respected, he hoped, as much as the right hon. Gentleman did the decision of a Select Committee, and especially that of a Committee which had so carefully considered the details of a Private Bill as this Committee had done. But, at the same time, he thought the House ought to reserve to itself the power of considering and reviewing any proposal which affected the general principles upon which Private Bill legislation was to be conducted; and in this case there was an attempt to raise the railway rates and charges against the agricultural interest. He strongly objected to any such increase at a period of agricultural depression; and he would venture to urge another ground—namely, that in making provision for an increase of rates in the manner proposed in the Bill they were establishing a very inconvenient precedent. Upon these grounds, he was prepared to support the Amendment moved by the hon. Member for Bedfordshire (Mr. J. Howard); and even if the general question were not at the present moment undergoing consideration by another Committee upstairs, he should be prepared to protest and vote against the provisions which had been included in the present Bill.

MR. BARNES could not understand the support which the Secretary to the Board of Trade was giving to the Toll Clause of this Bill as being a usual one. For his own part, he might say that he had never before seen a Bill which sanctioned a charge of 3*d.* a-ton for coals and 2½*d.* for manures; and, on behalf of the Mining Association of Great Britain — the Coalowners' — of which he was President, he objected to the sanction of the House being given to such charges. It was important to bear in mind that the Bill not only affected manures, but that it affected coals also; and, on these grounds, he should support the Amendment of the hon. Member for Bedfordshire (Mr. J. Howard).

MR. MAGNIAC regretted very much that he could not agree with the remarks which had been made by his right hon. Friend the Home Secretary. It was quite impossible that hon. Members could sit there silently and see important precedents established, as they were established by this Bill, without raising their voices and exercising their power of voting against them. The statements made by his right hon. Friend, and by his hon. Friend the Secretary to the Board of Trade, were scarcely capable of being supported by the facts of the case. The Secretary to the Board of Trade told the House that the rates authorized to be charged by the Bill were the usual rates enjoyed by every other Railway Company in the United Kingdom. If that were so, for what purpose did the Great North of Scotland Company apply to Parliament at all? If they were entitled to make these charges already, there was no reason why they should come to Parliament at all. It was quite evident that the Railway Company had not got the power, and that hitherto Parliament had not given them the privileges they were asking for. His ground, therefore, for opposing the Bill was a very simple one. If the House passed the Bill, the precedent established by the Select Committee upstairs would be accepted; and he strongly protested against any fresh precedent being made, especially while there was a Committee upstairs engaged in considering the whole question.

MR. CARPENTER-GARNIER did not wish to give a silent vote upon the question. He could assure the hon. Member for Bedfordshire (Mr. J. Howard) that the views he had enunciated were fully discussed and weighed when the Bill was under consideration by the Committee upstairs. At the very commencement of the Sittings of the Committee, the question was raised whether it was competent or desirable for the Committee to go into the question of rates at all, as the whole subject of Railway Rates had already been referred to another Committee which happened to be sitting at the same moment. But it was pointed out to the Committee that they were bound to go into all the questions that were raised by the Bill before them, and that they were bound to decide, upon the evidence submitted to them, what the course of legislation ought to be in regard to this particular Bill. The noble Lord (Viscount Folkestone) said that the Committee were unanimous. Now, he (Mr. Carpenter-Garnier) confessed that he had entertained considerable doubts upon the question of the classification of guano and artificial manures; and if anyone had moved to leave out the clause dealing with that question, he should certainly have had great pleasure in voting for such a proposition. There were several other important questions raised —such as terminal charges, the rates for small parcels, and other matters contained in the Bill, which had not been alluded to at any length in the present discussion. There was also another, and a wholly different, subject dealt with—namely, the propriety of sanctioning an amalgamation with another railway. His own opinion was that the raising of the rates on artificial manures was a very strong measure, and that it was scarcely warranted by the circumstances of the case. With regard to the question of precedent, it was said by an hon. Member opposite that the Committee were creating an inconvenient precedent. That was hardly the case, seeing that the precedent of the North Staffordshire Railway was allowed to be on all-fours with the present case. It was, however, impossible, in a short discussion like this, to go into all the complicated and difficult questions which were raised before the Committee; and he hoped the House would have confidence in the decision of the Committee, who had sat for many days hearing evidence, and who gave the whole matter the fullest and most careful consideration.

Question put.

The House *divided:*—Ayes 175; Noes 127: Majority 48.—(Div. List, No. 221.)

Main Question put, and *agreed to.*

Bill *considered.*

Mr. WEBSTER moved, after Clause 12, to insert the following new Clause:—

(Terminal Station.)

"No station shall be considered a terminal station in regard to any goods conveyed on the Railway of the Company, unless such goods have been received thereat from the consignor, or are directed to be delivered thereat to the consignee."

The clause was proposed by the promoters of the Company, but in the interests of the traders; and he believed there would be no objection to it.

Mr. SPEAKER: Is it a new clause?

Mr. WEBSTER: Yes.

Clause read a second time, and *added* to the Bill.

Mr. WEBSTER said, he had further to propose, in Clause 12, page 8, to leave out the word "covering." This was also an alteration in favour of the farmers, traders, and others, using the railway, and not in the interest of the promoters. He proposed it, however, with their consent.

Amendment *agreed to.*

Bill to be read the third time.

## *QUESTIONS.*

### THE MAGISTRACY (IRELAND)—STIPENDIARY MAGISTRATES.

Mr. MELDON asked Mr. Attorney General for Ireland, Whether his attention has been called to a report in the "Irish Times" of the 26th April 1881, of a motion, in three actions brought against Major Fraill, a resident magistrate, for having illegally sentenced three men to imprisonment and hard labour; whether, in the said report, it does not appear that Major Fraill had been a Major in the Army before receiving his appointment as a resident magistrate, and that Mr. Baron Dowse stated he had been once told by a stipendiary magistrate that, as he was not a lawyer he did not know the Law, and did not pretend to know it; whether, in the case of stipendiary magistrates whose duties are to guide and advise the other magistrates, it would not be desirable that members of the legal profession should be appointed stipendiary magistrates, rather than military men or private gentlemen without legal knowledge or training; and, whether all or any of the stipendiary magistrates who have been appointed in Ireland since the present Government came to office are barristers, or have received legal training?

The ATTORNEY GENERAL for IRELAND (Mr. Law): I have seen the report in the newspaper referred to by my hon. and learned Friend, and find it is as stated in his Question. It is the case that of the few resident magistrates appointed by the present

Government since their accession to Office none are barristers; but I believe they had all sufficient legal knowledge and experience to qualify them for the office. I must decline to express any opinion on the abstract question as to the desirability of appointing members of the Legal Profession in preference to others.

## EVICTIONS (IRELAND)—EVICTIONS IN MAYO.

MR. PARNELL asked Mr. Attorney General for Ireland, Whether Mr. G. A. H. Moore, of Moore Hall, county Mayo, has, since the rejection by the House of Lords of the Compensation for Disturbance Bill, evicted a number of tenants, and, amongst them, one named Stephen Loftus, of Ashbrook, Strard, Ballyvoy, Mayo, whose family numbers eleven, and the rent of whose holding was £8 15*s*., while the Poor Law Valuation is only £4 7*s*. 6*d*.; whether the holding has been in Loftus's possession and that of his forefathers for one hundred and ten years; whether he has been left by the eviction without any employment or means of living; and, whether he will consider the desirability of advising the insertion of such clauses in the Land Law (Ireland) Bill as will protect this class of tenants?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Stephen Loftus, the man referred to in this Question, was not originally recognized by Mr. Moore as a tenant. The farm was held by his brother, Thomas Loftus. It consisted of 38 acres; the annual rent was £28 2*s*. 6*d*.; tenement valuation, £17. Thomas Loftus sub-let a portion of the land to Stephen—about 12 acres, for which he received £8 15*s*. per annum; tenement valuation, £5 5*s*. I have received a letter from Mr. Moore's agent on the subject, which shows that Mr. Moore has acted with great considerateness and kindness to his tenants. The following is an extract from that letter:—

> "Last November, instructed by Mr. Moore, I offered the Loftuses, if they paid one year's rent, £28 2*s*. 6*d*., that we would take it in full discharge of the £61 16*s*. 3*d*. due on the holding, and give them a clear rent receipt for same. This offer was refused, they holding out to get the land at the Government valuation; and in February last we consented to take a year's rent at the valuation. The tenants then turned round and asked us would we take half Griffith's valuation, and if we did not that they would pay nothing. This offer, I need not say, we declined; and Mr. Moore then sent them word that he had withdrawn his previous offer to them, and instructed me to take proceedings for the recovery of his rent. . . . . An ejectment decree had been obtained on the 14th April, 1880, and as same was running out of date on the 8th April last, I put the decree into force, but instantly reinstated them as caretakers pending a settlement, at the same time stating that if they paid £14 1*s*. 3*d*., a half-year's rent, out of the £75 17*s*. 6*d*., which they would owe on the 1st of May, I would take it and give them separate receipts for same, thereby creating a new tenancy. They paid this amount, and I even then remitted arrears to the amount of £19 12*s*. 6*d*. The holding had been a very long time in their possession, and I am sure Mr. Moore wished it to remain as long more should they continue to pay their rents."

Stephen Loftus was for four days a caretaker instead of a tenant on his holding, and now he is in undisturbed possession of his separate farm and recognized as a tenant. I must say I cannot see any hardship in this case.

## STATE OF IRELAND—DISTURBANCES AT QUINLAN'S CASTLE, NEW PALLAS, CO. LIMERICK.

MR. T. P. O'CONNOR (for Mr. SEXTON) asked the Secretary of State for War, If it is true that a force of about two hundred soldiers and as many police have been occupied for some days past in warlike operations around a ruin called "Quinlan's Castle," situate at New Pallas, in the county Limerick, in which some tenants threatened with eviction had taken refuge; if the forces, having first laid siege to the ruin, were, after a time, directed to retire, and did so, but if, subsequently, after a council had been held between the sheriff, the military officers, the stipendiary magistrate, and the officers of police, another advance was made, and the whole available force invested the ruin, with a view to reduce its occupants by starvation; if there is any later intelligence from the scene of these operations; and, if he will be able to lay before the House an estimate of their cost?

MR. CHILDERS: In reply to the hon. Member's Question, I have to inform the House that a detachment, consisting of about 200 men, accompanied the police and resident magistrate to a farmhouse, near Castletown, on the 21st instant, and returned to Limerick on the same day. I have no further information on the subject. The railway fares to and from Pallas Station were about £28.

### CITY OF LONDON (INCOME AND EXPENDITURE)—THE CHAMBERLAIN'S ESTIMATE.

Mr. FIRTH asked the Under Secretary of State for the Home Department, Whether it is not the fact that in an estimate of current income and expenditure recently presented by the Chamberlain of London, there is shown a probable deficit in the accounts of the Corporation of the City of London of £38,500 on Dec. 31st, 1881; whether this deficit is not exclusive of extraordinary expenses for various purposes named in the Report; and, whether he is prepared to promote the wish of the people of London to have the accounts of the Corporation submitted to a skilled and independent audit?

Mr. COURTNEY: I believe it is the fact that the Chamberlain's estimate for the current year shows a probable deficiency of £38,500. That estimate is so far exclusive of extraordinary expenses that it does not include certain works in abeyance, and it necessarily excludes extraordinary expenditure which may be authorized by the Corporation during the rest of the year; but it does include £41,500 expenditure upon the New City School buildings, against which hereafter will be set off the value of the present School site and buildings. The phrase "the people of London" appears to be ambiguous. As all the Common Councillors are elected annually on St. Thomas's Day, the people of the City could apparently insist upon a skilled and independent audit if they wished it. But the hon. Member probably denotes by the phrase the inhabitants of a much larger area, and he must invoke a stronger power than mine if he desires to promote their wishes.

### THE CENSUS, 1881—PRELIMINARY REPORT.

Mr. LEA asked the President of the Local Government Board, If it is intended to issue a preliminary Report of the Census, like that of June 20th 1871; and, if so, when such Report would be issued?

Mr. DODSON: Yes; it is intended to issue such a Parliamentary Report. Probably the population will be 3,000,000 more than it was in the year 1871. I have every reason to believe that the Parliamentary Report will be ready in the first week in July.

Mr. LEA: Is that increase an estimate or an ascertained fact?

Mr. DODSON: I apprehend it is as yet only an estimate.

Mr. T. P. O'CONNOR asked, whether the Report would show the increase of the population in Ireland?

Mr. DODSON: I am not responsible for the Census of Ireland.

### CROWN LANDS—THE STAGSDEN ESTATE, BEDFORDSHIRE.

Mr. MAGNIAC asked the Secretary to the Treasury, Whether he is aware of the great decrease in the population of the parish of Stagsden, in Bedfordshire, as shown by the last Census; and, if so, whether he has any reason to believe that such decrease has been caused by any action of the Commissioners of Crown Lands, who hold a large estate in that parish?

Lord FREDERICK CAVENDISH: In consequence of the Question of my hon. Friend I have made inquiries, and find that between the Censuses of 1871 and 1881 there has been a decrease of 132 in the population of Stagsden, which is at the rate of 19 per cent. I find also that five other parishes in the Bedford Union show decreases of from 18 to 24 per cent. It will thus be seen that Stagsden is not peculiar among its neighbours in showing a decrease, which has also, I fear, occurred in most of the agricultural districts of England. With regard to the action of the Crown, I find that at the time of the purchase by the Crown there were 103 cottages, of which 28 had to be pulled down as unfit for decent habitation. There are now 93 cottages, most of which are of a superior class both in size and arrangements. The Crown provides additional cottages for the farms when asked to do so by the tenants for the occupation of their labourers. I do not, therefore, think that the decrease in the population of Stagsden is to be attributed to the action of the Commissioners of Woods and Forests.

Mr. MAGNIAC gave Notice that, on going into Committee of Supply, he would move that it was undesirable that the Commissioners of Crown Lands and the Ecclesiastical Commissioners respectively should make further purchases of real property so as to increase the extent of the land held by them in mortmain.

MR. J. HOWARD inquired, whether the 24 cottages which were pulled down at Stagsden had been reported upon by the rural sanitary authority?

LORD FREDERICK CAVENDISH said, he believed they were, and that notice was given that they ought to be pulled down.

## VACCINATION—HALIFAX FEVER HOSPITAL.

MR. HOPWOOD asked the President of the Local Government Board, Whether it is the fact that the matron and one or more nurses at the Hospital at Halifax have recently taken smallpox, a few days after re-vaccination; whether there is any reason to believe the vaccination was of variolous matter; and, whether it is the fact that there is in use in the country a large quantity of vaccine which is in fact variolous matter, or smallpox communicated from the human subject to cattle, and from them extracted and used in innoculation under the Vaccination Acts?

MR. DODSON: At the end of March last a small-pox patient was sent to the Halifax Fever Hospital, and thereupon the matron and staff were strongly urged to be vaccinated; but they all refused. Three weeks afterwards the matron showed symptoms of the disease, and on the day following four of the nurses were vaccinated. In one of them a slight attack of small-pox showed itself in two days, and in another a more severe attack in four days afterwards. It is evident, therefore, that they must have been under the influence of the disease when the vaccination took place, and at a stage when the latter could be of no avail. The other two nurses escaped altogether. There is no reason to believe that the vaccination was of variolous matter, and the medical man who vaccinated them distinctly states that it was good vaccine lymph. As to the last Question, if by variolous matter is intended the matter of small-pox, or matter capable of producing small-pox, there is no such matter used in vaccination under the Vaccination Acts; and, as a matter of fact, all attempts of late years to produce small-pox in cattle by innoculation with variolous matter would seem to have proved altogether abortive.

## RAILWAY FARES—THE RACING MEETINGS.

MR. LABOUCHERE asked the President of the Board of Trade, Whether his attention has been called to the fact that Railroad Companies are in the habit of making extra charges for the conveyance of passengers during Ascot, Goodwood, and Epsom Races; whether, in some cases, these charges do not exceed the maximum allowed by statute; and, whether they have any right to raise, on such occasions, their ordinary fares?

MR. CHAMBERLAIN, in reply, said, his attention had not been officially directed to the statements contained in the Question; but he had no reason to doubt their substantial accuracy. His hon. Friend asked him to give what would be a legal opinion on the subject. He was not qualified to offer such an opinion to the House. But according to some correspondence in *The Times* of July 8, 1878, it appeared that a Mr. James Bussey commenced proceedings against one of the Railway Companies to try its right to make an extra charge during the Ascot week. The Company paid the sum claimed into Court, and so avoided a legal decision. He supposed the impression left on the mind of his hon. Friend would be that they had good reason to do so.

## CRIMINAL LAW (IRELAND)—COMMITTALS TO COUNTY LIMERICK GAOL.

MR. SYNAN asked Mr. Attorney General for Ireland, Whether Mr. Clifford Lloyd, R.M. did on Friday the 20th instant at the Kilfinane Sessions, in the county of Limerick, commit nine men (tradesmen and labourers) to the County Limerick Gaol (a distance of thirty miles) on remand until the next sessions without giving them the option of bail to appear at such sessions, and without specifying and calling any witnesses to prove the offence with which they were charged; and, whether the families of the men sent to prison are not left destitute in consequence?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Nine men (tradesmen or labourers) were committed to gaol on remand by Mr.

Clifford Lloyd on a charge of riot, bail being refused. This was at Kilmallock Petty Sessions, not at Kilfinane. Witnesses were called and evidence of the commission of the offence taken in the presence of the accused. With the exception of two, the men are all single, and I am informed that the families of these two are not destitute.

## POST OFFICE—MEMORIAL OF METROPOLITAN LETTER-CARRIERS.

Mr. SCHREIBER asked the Postmaster General, Whether he has received Petitions from the Letter Carriers of the eight metropolitan districts, forwarded on the 26th of last month through the customary official channels, and concluding with the request that he would receive a deputation of the Petitioners' delegates, in the event of his requiring any further explanation on the subject of the said Petitions; and, if so, when the Petitioners may hope for an answer either to the prayer of their Petitions or to their application for an interview?

Mr. FAWCETT: Before such Memorials as those referred to in the Question of the hon. Member are submitted to me, it is considered expedient that they should be reported upon by the officials under whom the Memorialists immediately serve, and who are in a position to give valuable information on many of the points referred to. In consequence of the Memorials in question having thus to be examined, seven of them reached me as late as Saturday week, and one was received on Tuesday last. It is scarcely necessary for me to say that, in these circumstances, I am not now in a position to arrive at any decision on the subject.

## TUNIS—SEARCH OF BRITISH SHIPS IN TUNISIAN WATERS.

Mr. H. R. BRAND (for Mr. Otway) asked the Under Secretary of State for Foreign Affairs, Whether a British trading schooner with her colours flying was recently boarded from a French man-of-war in Tunisian waters, taken possession of, and overhauled, on the plea of searching for arms; whether arms formed any part of the cargo of the schooner; and, had such been the case, by what right the French authorities (their Government not being at war with the Government of Tunis or a belligerent Power) impeded a British ship when pursuing her lawful commerce; and, whether, in consequence of this transaction, Her Majesty's Government contemplate taking any steps to secure for British seamen and their trade in Tunisian waters the protection to which they are entitled?

Sir CHARLES W. DILKE: On the 23rd of May, Her Majesty's Agent at Tunis reported by telegram that the French ship of war *Léopard* had overhauled the British schooner *Nova Stella,* on the 19th instant, and, after searching her for gunpowder, had escorted her to Sfax, to be more closely inspected by the local authorities in the presence of a dragoman of the British Consulate. Lord Lyons was instructed to inquire into the matter, and was informed by the French Minister for Foreign Affairs that it was in consequence of a regrettable misunderstanding of his instructions that the Commander of the *Léopard* had visited one or two foreign vessels. He had been instructed to watch suspected vessels, and to support the Tunisian authorities in repressing smuggling; but he was by no means authorized to visit foreign vessels on the high seas, and fresh instructions had been sent to him to prevent any misunderstanding in future. Communications on the subject have taken place between Captain Tryon and the Commander of the *Léopard.* A Report of these has not yet been received from the former; but M. St. Hilaire informed Lord Lyons that the two officers had come to a perfect understanding as to their respective obligations. In view of the explanation given by the French Government of the affair, Her Majesty's Government do not, as at present informed, contemplate taking any further steps in the matter.

## ARMY ORGANIZATION—FIELD OFFICERS' ALLOWANCES.

Lieutenant-Colonel MILNE HOME asked the Secretary of State for War, If arrangements have been made with the Indian Government for payment of the usual field officers' allowances to those captains who under the proposed Army Organisation Scheme will become majors when serving with their regiments in India; and, if he is prepared to make allowances to officers in other than Highland and Rifle regiments for changes in their uniform, necessitated by the intended re-arrangement of brigades?

MR. CHILDERS: In reply to the hon. and gallant Gentleman, I have to state that about two months ago, we were in consultation with the India Office as to the scale of pay and allowances for the additional field officers proposed to be appointed as from the 1st of July. We have no official letter on the subject, but arrangements are being made. With respect to the second Question, I am not aware of any claim for such an allowance as the hon. and gallant Gentleman suggests which might not have been put forward by officers transferred from one to another linked regiment under the present organization, and I see, therefore, no reason to extend the rule.

LIEUTENANT-COLONEL MILNE HOME asked whether the right hon. Gentleman would take into consideration the cases brought before him?

MR. CHILDERS: I am most anxious to do so.

## CUSTOMS DEPARTMENT—EXTRA OFFICERS.

SIR TREVOR LAWRENCE asked the Secretary to the Treasury, Whether the extra officers of Her Majesty's Customs are not deprived of their pay on Her Majesty's birthday and other public holidays, which is not the case with temporary employés in other branches of the Civil Service; and, whether, if this is the case, he will not reconsider this treatment of a poorly paid class of public servants?

LORD FREDERICK CAVENDISH: I understand the hon. Member to allude to the class called extra men employed by the Board of Customs. These men are employed in such numbers and on such days as is found necessary. They are paid strictly by the day, and only for the day on which they are actually employed. I see no reason for altering this system in the manner suggested, the effect of which would be to give them pay for days on which they are not employed. There is no analogy between their position and that of other temporary *employés* of Government. I may say, however, that, as a matter of fact, a certain number of extra men are employed on all holidays, and are paid accordingly.

## LAW AND POLICE—ALLEGED SALE OF A WIFE.

MR. T. D. SULLIVAN asked the Secretary of State for the Home Department, Whether his attention has been called to a case tried before the Sheffield County Court on May 25th, and reported in the "Daily News" of May 26th, in the course of which it transpired that a man, whose name is not given in the report, sold his wife to a married man named Moore for the consideration of a quart of beer; and, whether, having regard to the fact that such sales are not uncommon in England, the Right honourable Gentleman will take such steps as may be in his power to remove the impression which appears to exist in some parts of England that the sale of wives is a legitimate transaction?

SIR WILLIAM HARCOURT: I do not know whether the hon. Member expects a serious answer to this Question. I find nothing in this affair, except the casual utterance of a drunken ruffian in search of an excuse for his own immorality. There was nothing like a sale that deserves the name at all; and I confess when I see such suggestions as are down in the latter part of this Question, I have only to say that to treat a brutal incident of this character as representing a practice not uncommon in England, and to say that an impression is prevailing that incidents of this kind are legitimate transactions is, in my opinion, at once a waste of time and an insult to the common sense of the House. Everyone knows that no such practice exists. ["Oh!"] Well, Sir, if hon. Gentlemen from Ireland know the case to be different with reference to that country, I have nothing to say; and, for my part, I entirely repudiate the slur that would be cast on the people of this country by seriously dwelling on the gross language of a degraded wretch as if it were representing a national practice and belief as to the law deserving the attention of Parliament.

MR. CALLAN asked, Whether, in making allusion to Ireland, the right hon. Gentleman meant anything serious?

SIR WILLIAM HARCOURT: Sir, I did not mean anything serious at all. I did not think it could be a serious subject. I make no more imputation upon Ireland than upon England and

Scotland. I believe the practice to be equally unknown in every part of the United Kingdom.

### THE ROYAL IRISH CONSTABULARY—COLONEL HILLIER, THE INSPECTOR GENERAL.

MR. GILL (for Mr. T. D. SULLIVAN) asked Mr. Attorney General for Ireland, If the Colonel Hillier, who is the nominal author of the Circular recently issued to the Irish police, is the same Colonel Hillier who a few years ago was tried at Dublin before the late Chief Justice Whiteside for a gross assault on a Belfast solicitor, and was sentenced to pay a penalty of £100 for the offence; and, whether, if he be the same person, the Irish Executive consider it proper to retain that officer in command of the Irish constabulary at so critical a juncture in Irish affairs as the present?

MR. TOTTENHAM, before the right hon. and learned Gentleman answered this Question, wished to ask, Whether in the case referred to the conduct of Colonel Hillier had not been approved by the Government, and the fine paid by the Crown?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I presume the hon. Member alludes to the action brought by the late Mr. John Rea nearly 10 years ago against Colonel Hillier for illegal arrest. Mr. Rea was addressing a large and excited mob in inflammatory language, and, after being repeatedly cautioned by Colonel Hillier and requested to desist, continued his harangue, defying the officer to order his arrest. Colonel Hillier at last, fearing that a riot would be the result, thought it his duty to direct Mr. Rea's arrest, and for this the action was brought. I do not think the circumstances of that case afford any ground for supposing that Colonel Hillier—who is an excellent public officer—is in any way unfitted to continue Inspector-General of the Royal Irish Constabulary. Colonel Hillier's conduct was approved; and, I believe, his expenses were paid by the Government.

### ARMY—SCHOOLS FOR MILITIAMEN—ARMY CIRCULARS, FEBRUARY, 1881.

SIR JOSEPH BAILEY asked the Secretary of State for War, What has been the annual cost of the schools for the instruction of militiamen during preliminary drill and training; whether the instruction therein given has not proved of great advantage to men availing themselves of it; and, whether, if that is the case, he would reconsider the Clause in Army Circulars of February 1881, by which these schools have been abolished?

MR. CHILDERS: In reply to the hon. Baronet, I have to state that so far from schools for Militiamen during their training proving of great advantage, I am satisfied that they are entirely useless now that the Education Act is in full operation. It is difficult to estimate exactly their expense, perhaps a few hundred pounds; but they were not discontinued for financial reasons.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—MR. HODNETT.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, If it is true that the Governor of the County Limerick Prison refused to allow Mr. Hodnett (a prisoner confined therein) to see some friends on Thursday last; and if the said Governor refused to inform those friends of Mr. Hodnett why it was that he did not in this instance comply with the rules of the prison?

MR. HEALY also asked Mr. Attorney General for Ireland, Whether it is true that on Ascension Thursday (a Catholic holiday) Mr. Hodnett, a political prisoner in Limerick Gaol, was deprived of the privilege of associating with other prisoners as a punishment for hurrying from his cell into chapel, a distance of twenty yards?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I am informed by the General Prisons Board that Mr. Joyce, their district Inspector, has been directed to inquire into this matter, and the Prisons Board expect to have his Report on the entire case this morning. If the hon. Members will repeat their Questions in a day or two, I hope to be in a position to answer them.

### CENSUS (IRELAND)—MISAPPLICATION OF ENUMERATION PAPERS.

MR. HEALY asked Mr. Attorney General for Ireland, Whether his attention has been called to the misapplication of the Census papers, reported in the "Freeman's Journal" of 26th May;

whether the facts are as stated, viz. that on Wednesday a farmer named J. Moore was summoned at Termonfeckin for writing an alleged threatening letter; whether Constable Marmion stated on oath, that to procure evidence as to the handwriting of this letter, he examined 126 of the Census papers which he had collected in the townland; that, suspecting the handwriting of one of the forms to be the same as that of the alleged threatening letter, he went to J. Moore and said to him "You have not properly filled your Census paper," and, on Moore protesting that he had, used an artifice to induce him to fill up another; whether, on this second Census form being filled in the constable's presence, Moore was taken into custody; whether these forms are not regarded as secret documents to be applied to no use but that which Parliament has sanctioned; whether every Census paper does not contain the following pledge as to the confidential nature of its contents, &c. :—

> "Strict care will be taken that the returns are not used for the gratification of curiosity or for any other object than that of rendering the Census as complete as possible;"

whether Constable Marmion admitted that it was against his positive instructions to put a Census form to an illegitimate use; whether, nevertheless, Moore was returned for trial on the single piece of evidence against him; whether the Government approve of the constable's ruse to obtain the filling up of the second Census paper; whether they approve of the breach of faith with Parliament and the public in its misapplication as criminal evidence; and, if not, whether they will at once give orders for Constable Marmion's dismissal and for the withdrawal of the charge against Moore?

MR. CALLAN asked, whether the constable referred to was not unpopular, and ought not for this conduct to be dismissed the force?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): My attention has been called to the report of this case in *The Freeman's Journal*, and I believe the facts are substantially as stated. A serious mistake has, no doubt, been committed in making use of the Census paper; and I have therefore directed the withdrawal of the prosecution. The mistake, however is not one which, in my opinion, requires the dismissal of the constable. I have no information as to the man's unpopularity.

MR HEALY: Although the prosecution is withdrawn, is the man safe from the Coercion Act?

## WESTERN ISLANDS OF THE PACIFIC—THE SOLOMON ISLANDS—MURDERS AND OUTRAGES BY THE NATIVES—OPERATIONS OF H.M.S. "EMERALD."

MR. ALEXANDER M'ARTHUR asked the Secretary to the Admiralty, Whether he will lay upon the Table the Report of the Captain of H.M.S. "Emerald," relative to the operations which that officer lately undertook at the Solomon Islands in retaliation for the murder of Lieutenant Biron and other outrages; and, whether he will also publish any further Correspondence on the same subject which the Lords of the Admiralty may have received?

MR. TREVELYAN: I shall be very glad to lay on the Table the Report of Captain Maxwell, as well as a Copy of the Instructions from Commodore Wilson under which he sailed. Those are the only Papers on the subject which would give any valuable information to the House of Commons.

## IRELAND—ANTRIM LICENSING SESSIONS.

MR. BIGGAR asked Mr. Attorney General for Ireland, If it is the fact that two Annual Licensing Sessions are held in each year for the county Antrim portion of the borough of Belfast—namely, the Recorder's Annual Licensing Sessions in September, and the County Court Judges' Annual Licensing Sessions in November; is he aware that such last-mentioned Sessions, at which county justices attend, is availed of by applicants who have been refused their certificates by the Recorder, very much as a court of appeal, although fresh notices are served, and that, in most cases, such second application is directed and encouraged by the said Recorder; is it desirable that the Recorder's adverse decisions should be reviewed and reversed by a bench of justices having almost no interest in the Borough; and, is it according to Law that there should be more than one Annual Licensing Sessions for a district in the year; or that the Board of Inland Revenue should accept certificates from two clerks of the peace for licences for the county Antrim portion of the borough of Belfast?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): It is a fact, as stated, that two Licensing Sessions are held in the borough of Belfast—one being held by the Recorder as the sole Judge of the Borough Sessions, and the other by the County Justices in that portion of the county which lies within the borough of Belfast. I am not aware of any appeal; but it is no doubt the fact that persons refused licences by the Recorder have applied again to the County Justices sitting in the town of Belfast.

## INDIA—GRANT TO GENERAL SIR FREDERICK ROBERTS.

SIR H. DRUMMOND WOLFF asked the Secretary of State for India, Whether any actuarial calculation was made of the value of the annuity of £1,000 given to Sir Donald Stewart at the same time as the calculation was made with respect to Sir Frederick Roberts; and, if not, why this formality was omitted; whether it is not the case that, if Sir Donald Stewart had been treated on the same footing as Sir Frederick Roberts, the sum granted for the surrender of his annuity would have been about £9,868, instead of £12,500, or that, if Sir Frederick Roberts had been treated on the same footing as Sir Donald Stewart, the sum granted to him would have been about £15,827, instead of £12,500; and, if he can state the reasons for which an advantage was given to Sir Donald Stewart over Sir Frederick Roberts in the sum granted to him, as in both cases the recipients had been equally adjudged, as a reward for their services, an annuity of £1,000 a-year for one life, a grant the value of which depends on the age of the annuitant? The actuarial calculation, he added, was based on 58 as the age of Sir Donald Stewart and 49 as the age of Sir Frederick Roberts.

THE MARQUESS OF HARTINGTON: The exact sum which Sir Donald Stewart would receive on his pension of £1,000 a-year, if commuted at the present time, would be £9,478 if calculated at 5 per cent, or £10,286 if calculated at 4 per cent. But, as I have already stated, the grants made by the Indian Council to Sir Donald Stewart and Sir Frederick Roberts were not precisely the actuarial value of the cumulation of the £1,000 a-year at the present time. When it was found that difficulties existed in the way of carrying out the original intention of the Indian Council of making a grant to each of these officers, it was considered desirable to substitute for that proposal a grant of a lump sum.

SIR H. DRUMMOND WOLFF: Has the noble Lord any objection to giving a Return of all special military grants made by the Indian Government to Indian officers for the last 40 years?

THE MARQUESS OF HARTINGTON: If the hon. Member will give Notice of that Question I shall answer it.

## STATE OF IRELAND—DISTURBANCES AT QUINLAN'S CASTLE, NEW PALLAS, CO. LIMERICK.

MR. TOTTENHAM asked Mr. Attorney General for Ireland, Whether, on Saturday 21st May, the sheriff of the county of Limerick took a force of two hundred soldiers and one hundred police to protect him in the execution of certain ejectments and legal decrees in the neighbourhood of New Pallas, county of Limerick; whether he neglected to provide a sufficient (or any) staff of civil assistants, and had, in consequence, to return without executing the ejectments; and, whether it is the duty of the sheriff to provide himself with such assistance; and, in the event of his neglecting to do so, whether he can be held liable for the cost incurred by the State in the collecting and sending out of so large a force, which failed in its object owing to such neglect of duty?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): The facts appear to be correctly stated in the Question of the hon. Member. The attention of the Government has already been called to the matter; and on the 26th instant a communication was addressed to the sub-sheriff asking for an explanation; but as yet no answer has been received.

## TUNIS—THE ENFIDA CASE.

MR. MURRAY asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has any reason to suppose that the French Government has now retreated from its position in regard to the Enfida affair, viz.:—

> "That it was impossible under the circumstances that the French Government could consent to leave the Enfida affair to the decision of the Tunisian local tribunals" [Tunis, No. 4, 1881, No. 40];

and, if not, whether Her Majesty's Government consider that they are fulfilling their duty to Mr. Levy in declining

> "To interfere in the difference which has arisen between the contending purchasers of the Enfida estate;"

and, also how circumstances have thus altered to Mr. Levy's detriment since last February, when Her Majesty's Government checked the special action of the French Government in the Enfida affair by the movement of H.M.S. "Thunderer," which were admittedly made to depend upon those of a French ironclad sent to "weigh in favour of the French Company?"

Sir CHARLES W. DILKE: As regards the first part of the Question, Her Majesty's Government are unable to say whether the French Government have retreated from the position referred to, since no reply has been returned to the communication addressed to them by Lord Lyons on the 4th instant, under instructions from the Foreign Office. As regards the second part of the Question, the Papers before the House show that while the Enfida Question was under discussion the French iron-clad *Friedland* was sent to Tunis, as Her Majesty's Government had reason to believe, in connection with this affair; whereupon they thought it desirable to despatch the *Thunderer* to the coast of Tunis. In the course of subsequent explanations between the two Governments, it was stated that the mission of the *Friedland* had no connection with the Enfida Question, and both vessels were withdrawn.

## BULGARIA — SUPPRESSION OF THE CONSTITUTION BY PRINCE ALEXANDER.

Mr. LABOUCHERE asked the Under Secretary of State for Foreign Affairs, Whether he will instruct Mr. Lascelles, Her Majesty's Representative in Bulgaria, to obtain from M. Zancoff and the friends of the late Bulgarian Constitution their case in regard to the arbitrary suppression of that Constitution by Prince Alexander, in order that this House may have the case of the Constitutionalists as well as that of the Potentate in regard to recent occurrences; and, whether Her Majesty's Government has any objection to express its sympathy with the Constitutionalists of Bulgaria, and its earnest hope that the country will not condone the violation of his Constitutional oath by the Prince?

Sir CHARLES W. DILKE: Her Majesty's Government have received despatches from Mr. Lascelles containing the views expressed at Sofia with regard to the action recently taken by the Prince of Bulgaria; but they are unable to lay any of the Correspondence upon the Table without consultation with Mr. Lascelles. Her Majesty's Government are not prepared at present to express any opinion as to the course pursued by the Prince of Bulgaria.

## ARMY ORGANIZATION — THE FIVE YEARS' COMMAND—LIEUTENANT COLONELS.

Captain AYLMER asked the Secretary of State for War, Whether the fixed period of five years allowed to lieutenant colonels will under the new rules refer to all lieutenant colonels from date of promotion to that rank; or, whether the five years' tenure of office will be counted only from date of attaining to command of a battalion?

Mr. CHILDERS: The point raised by the hon. and gallant Gentleman has been fully provided for, and the new Warrant will specify what term "in command of a battalion," and what term "in the two offices of lieutenant colonel commanding and lieutenant colonel second in command," will qualify.

## SOUTH AFRICA—THE TRANSVAAL—PROTECTION OF THE NATIVE INHABITANTS.

Mr. GORST asked the Under Secretary of State for the Colonies, What steps Her Majesty's Government are taking to protect the native inhabitants of the Transvaal against wanton aggression on the part of the Boers during the sitting of the Commission?

Mr. R. N. FOWLER asked the right hon. Gentleman, Whether his attention had been called to a telegram from Durban in *The Standard* of that day, stating that the entire Transvaal was to be given up to the Boers on their own terms; and, whether he could give any information on the subject?

Mr. GRANT DUFF: I am afraid it would be very far indeed from advantageous to the peace of the Transvaal if I were to state from day to day what the Royal Commission is doing, either in regard to the Native question or any other question. I had occasion the other day to show that the Commission had dealt most promptly and successfully with the only Native question of any real difficulty that had arisen. I was further happy to be able to show that the Boer leaders had acted with great frankness and fairness in assisting our people in dealing with the question. I am sure that it will be the opinion of the House that the Commission may be safely left to deal with ordinary questions with regard to the Natives as they arise. Of course, if any question of real difficulty arises they will consult Her Majesty's Government. I should like to take this opportunity of giving answers to those Questions which were put to me on Friday by the right hon. Gentleman opposite (Sir Michael Hicks-Beach). We telegraphed as we promised, and we received replies. The first question was, whether British troops had started for the re-occupation of Potchefstroom, and we have received the following telegram from Sir Evelyn Wood:—

> "May 28.—Escort and garrison for Potchefstroom leave here to-day. Cross border Monday. Buller accompanies. Will not leave Standerton until guns are received."

Our second question was—

> "Is there any truth in report that Natives in Boer employment have been ordered by their Chiefs to return to their kraals, and that Natives in English employment have been warned to be ready to join tribes in case of war?"

To that we received the following reply from Sir Hercules Robinson:—

> "Yours 27th.—Lieutenant Davidson, heliograph officer so reports from Heidelberg. Wood endeavouring to verify this and similar rumours before reporting to you."

In reply to the Question of the hon. Member for the City, all I can say is that the terms and conditions on which local freedom was to be granted to the Transvaal have already been made known in full to the House, and that negotiations are still proceeding within the limits and upon the alternatives then made known.

Mr. GORST asked, if the English Commission in the Transvaal had power and authority delegated to them by Her Majesty's Government to take, if necessary, military measures for the protection of the Natives?

Mr. GRANT DUFF: Most undoubtedly, Sir. The state of things in the Transvaal is this—that the garrisons of Her Majesty remain in the Transvaal, and that justice is administered in the name of Her Majesty precisely as it was before the outbreak.

Mr. CARINGTON asked what notice Her Majesty's Government had taken of Kronje having attacked a friendly Kaffir Chief and killed 70 of his men?

Mr. GRANT DUFF: We know nothing whatever of 70 men of any Kaffir tribe having been killed; and if the hon. Member cares to have my opinion on the subject, it is that I do not believe a word of it.

Lord EUSTACE CECIL: The right hon. Gentleman says that justice will be administered as heretofore. When I asked him the other day a Question on the subject of the murderers of Captain Elliott, I understood that they were to be tried by a Court in the Transvaal, but not a Court according to the old-established rule. Now, I should be glad, indeed, to know what Court it is that these persons are to be tried before?

Mr. GRANT DUFF: If I conveyed the impression which he has just stated to the mind of the noble Lord, I must have been, I fear, curiously infelicitous in my mode of expression. What I said was that the murderers of Captain Elliott would be tried by the existing High Court, according to the existing law, and I really do not know how to put what I have to say more clearly.

Mr. GORST gave Notice that he would ask whether a letter had been received from Montsuni by Sir Evelyn Wood, stating that he had been obliged to take up arms, owing to the Boers instigating his enemies to attack him because he was faithful to the English during the war, and what reply had been sent to it?

## TOBACCO CULTIVATION (IRELAND).

Sir EARDLEY WILMOT asked Mr. Chancellor of the Exchequer, If he would consider the desirability of allowing the Irish farmers to grow tobacco on lands now uncultivated in Ireland, as an inducement to them to bring those lands into cultivation, and at the same time to supply themselves with an article which, in their climate and condition, is one of the necessaries of life; such tobacco to be retained for home use and not to be exported; it having been stated, on good authority, that the moisture of Ireland is peculiarly favourable to the growth of tobacco, and that it flourished formerly in that Country?

MR. GLADSTONE: There has been no recent discussion on the subject of the growth of tobacco in Ireland, and if the question should be raised, it would undoubtedly have to be considered with reference to the Kingdom at large. The hon. Member is probably aware that for about 50 years the growth of tobacco has been permitted in Ireland, and that its growth was protected by high differential duties. We also know that the repeal of that permission was recommended by the Commission of 1830, inasmuch as the experiment was not successful. At the same time, I regret the prohibition of any agricultural product by law as very unsatisfactory. I am at all times open to the reception of any statement or suggestion tending to show that if that prohibition was removed we could satisfactorily levy the duty on the commodity if grown at home as we do when imported.

## PARLIAMENTARY OATH—MR. BRADLAUGH—INTERFERENCE OF A GOVERNMENT OFFICIAL AT WOOLWICH.

BARON HENRY DE WORMS asked the Secretary of State for War, Whether he will take steps to inquire whether some of the Government officials of the Arsenal at Woolwich have been using their influence with the employés in the Arsenal to induce them to sign Petitions condemning the action of the House of Commons in regard to Mr. Bradlaugh, and urging his immediate admission to the House; and, whether such Petitions have been sent round for signature during working hours?

MR. CHILDERS: In reply to the hon. Member, I have to say that last week I ordered inquiries to be made into the subject of his Question, and I have learnt that it is the case that one of the Government officials in Woolwich Arsenal—a junior writer in the Carriage Department—did circulate a Petition in favour of the admission of Mr. Bradlaugh to this House. I am not aware what influence he brought to bear in order to obtain signatures, and he states that the whole affair was a joke. I fail to see any humour in this joke; and I have directed the same censure to be conveyed to this gentleman as I did last week to the promoter of a Petition in the opposite sense.

## MERCHANT SHIPPING ACTS—EMIGRANT SHIPS.

VISCOUNT LYMINGTON asked the President of the Board of Trade, Whether the inquiries which he promised to make relative to a letter in the "Pall Mall Gazette," signed "Charlotte G. O'Brien," respecting the state of things on board an emigrant ship, have proved the substance of that letter to be correct; and, if so, what steps he intends to take in the matter?

MR. CHAMBERLAIN: I stated to the House on a previous occasion that on seeing the letter from Miss O'Brien which appeared in *The Pall Mall Gazette*, I had direted Captain Wilson, one of the officers of the Board of Trade, to proceed to Queenstown to inquire into the facts of the case, and that Mr. Gray, the Assistant Secretary of the Marine Department, who was in Liverpool at the time, would also make an independent inquiry into the subject. I communicated at the same time with Miss O'Brien, and learnt from her that the vessel to which her description was intended to apply was the *Germanic*, of the British White Star Line. I have now received full Reports from Mr. Gray and Captain Wilson, and these show, first, that all the requirements of the law have been fulfilled, and even exceeded, by the owners of the White Star Line, in their provision for emigrants; secondly, that the general arrangements on this line are at least as good as those on any other of the 10 lines which take emigrants from Liverpool and Queenstown to America; and, thirdly, that these officers are totally unable to recognize the state of things described by Miss O'Brien in anything which has ever existed on board the *Germanic*. Captain Wilson was accompanied in his inquiries by Miss O'Brien herself, and visited with her 10 ships belonging to different lines. On the 20th of May Miss O'Brien and Captain Wilson visited the *Germanic* on her last outward voyage, and on the completion of their inspection Miss O'Brien wrote a letter to the Chief Secretary for Ireland, which she has desired me to read to the House. This letter is as follows:—

> "My dear Mr. Forster,—I have just seen the *Germanic* with Captain Wilson. As it is at present, nothing can exceed the beauty and perfection of the arrangements. I can in no way reconcile my former impressions with what was to-day shown us. I have, however, written to some of the emigrants who travelled on the *Germanic* on the 10th of March. If their testimony is against mine I shall certainly withdraw my accusations against this particular ship, though not against the whole system, which I look on as certain to lead to abuse, and as requiring legal alteration. Meanwhile, I am much puzzled. — Yours very truly, C. G. O'Brien."

I am informed by the owners of the *Germanic* that the arrangements on the 20th of May were precisely similar in character to those in use when Miss O'Brien first saw the vessel on the 10th of March, and this statement is confirmed by the emigration officer, who cleared the vessel on both occasions. I ought to add, with reference to a statement in Miss O'Brien's first letter, to the effect that the *Germanic*, which was supposed to carry 1,000 steerage passengers, carried on one voyage last year 1,775 emigrants, that, as a matter of fact, the largest number of steerage passengers carried by the *Germanic* in any one voyage during 1880 was 864, or less than one-half the number mentioned by Miss O'Brien. On the occasion of Miss O'Brien's visit the number carried was only 365. I should have been glad to leave the matter here, but I have since received a letter from Miss O'Brien which I am totally unable to explain. In this letter, which is not dated, she says—

> "My letter to Mr. Forster, which Captain Wilson and Mr. Graves saw, really means nothing. Mr. Forster has the letter, which states that the present arrangements, as shown on the 19th were excellent, that I was unable to reconcile them with what I had previously seen; but that I had written to some emigrants of the date in question to ascertain their testimony. I should wish my letter in its own words to be read in Parliament, as I distinctly do not withdraw my former letter; but I do not wish to press it against the *Germanic*, as I have now plenty of evidence against the system under Captain Wilson's testimony. I expect soon to be in possession of further evidence; but I must take no step that would weaken my present standpoint, as any appearance of going back on my first letter would do."

This letter leaves me as puzzled as Miss O'Brien. It is difficult to deal with statements of a lady who writes a sensational letter one day, who writes a month later what appears to be a qualified withdrawal of the serious charges contained in the first, and then a day or two later another letter to say that her withdrawal means nothing because she must not weaken her standpoint—that is, a standpoint to bring further charges. Miss O'Brien incloses in this letter a list of questions conveying imputations of a serious character, which I understand to be directed against the ships of other lines; but the questions themselves contain no precise indication as to the particular vessel to which they refer. I am having these questions examined, in the hope of obtaining positive information with respect to them, and I am carefully considering the whole subject, with a view of seeing whether any improvement can be made in the existing practice or law; but, meanwhile, I have to say, in answer to the noble Lord, that, in my opinion, the letter in *The Pall Mall Gazette* professing to describe the state of things on board the *Germanic* on the 10th of March was not correct in substance.

Mr. PARNELL: The Grand Jury at New York have found indictments against British and other steamships which were overcrowded. Has the right hon. Gentleman received any information with regard to this statement from the British Consulate in New York, and will he make inquiries into the matter?

Mr. CHAMBERLAIN: I will make inquiries into the matter with pleasure; but I have received no special information on the matter.

Mr. T. P. O'CONNOR: Within the next two or three days I will put a Question on the Paper with reference to the same subject. I have received a letter from Boston, from an ex-constituent of mine, who was not and could not be in communication with Miss O'Brien, and who gives a picture of female emigrants almost corresponding with hers.

## EDUCATION (IRELAND)—DEGREES BY THEOLOGICAL COLLEGES.

Mr. BERESFORD HOPE asked the First Lord of the Treasury, Whether he can assure the House that, in case any Theological Colleges in Ireland are empowered to grant degrees in divinity provision shall be made that such degrees shall only be given to persons who have already graduated in arts at some University, so as to ensure an adequate standard of literary proficiency on the part of persons graduating in divinity?

MR. GLADSTONE: There is a plan before the Government for constituting a body in Ireland for granting degrees in Divinity in connection with the Presbyterian Communion. I am not able to say the precise security we shall take that the degrees shall be granted in connection with a proper standard of attainment in other matters; but the subject is well worthy of consideration, and will be duly weighed.

## ARMY ORGANIZATION — WARRANT OFFICERS OF THE ROYAL ENGINEERS.

SIR HENRY TYLER asked the Secretary of State for War, Whether he will be so good, in his new scheme, to consider the question of giving the rank of Warrant Officer to First Class Military Foremen and First Class Staff Clerks of the Royal Engineers, so as to place them on an equality in this respect with Master Gunners?

MR. CHILDERS: In reply to the Question just put to me, I can only say that, while reluctant to give driblets of information as to a scheme the full details of which will shortly be before the House, I believe that the hon. and gallant Gentleman will be quite satisfied as to the classes of non-commissioned officers in which he is interested.

## POST OFFICE—TELEGRAPH WIRES (METROPOLIS).

SIR HENRY TYLER asked the Secretary of State for the Home Department, Whether his attention has been drawn to the continually increasing and apparently unlimited development of webs of wires stretched tightly over the thoroughfares of the Metropolis; to the periodical deterioration of strength in those wires from the action of the atmosphere; to the danger that would arise, with probable loss of life, from the fracture of any one of those wires; to the constantly augmenting risk consequently occasioned, especially in many of the principal thoroughfares; and, whether he will consider the question of providing against such danger?

SIR WILLIAM HARCOURT, in reply, said, that the Question raised by the hon. and gallant Gentleman was deserving of attention, but did not lie in his Department. It really rested with the Postmaster General and the authorities having control over the streets. He would refer the hon. and gallant Member to the Telegraph Act of 1862 if he wished for information with regard to the control over telegraph wires.

## LIFE ASSURANCE COMPANIES' ACT, 1870—RETURNS.

SIR HENRY TYLER asked the President of the Board of Trade, Whether it is desirable to publish (for instance) in the Blue Book of this year, the Returns published by so many Life Assurance Companies the same time last year, and, to proceed on the same system, by which the Returns for the past year, and for the past quinquennial period, published this spring, would next spring appear in the Blue Book; and, whether it would not be possible to include in the Blue Book for each year those Returns printed and published by the Companies in the early portion of that year?

MR. CHAMBERLAIN: I think that the changes suggested by the hon. and gallant Member cannot be legally effected. The 24th section of the Life Assurance Companies' Act, 1870, requires the Board of Trade to lay before Parliament all Returns deposited with it during the preceding year.

## POST OFFICE—PARCEL POST—COLLECTION OF ACCOUNTS.

MR. A. GRANT asked the Postmaster General, Whether, in making his arrangements for the introduction of the Parcel Post, he will consider if it is practicable to connect with it the system, as followed in Germany, whereby the Post Office undertakes to collect, on account of the sender, the amount stated in an invoice accompanying the parcel, before giving delivery of the goods?

MR. FAWCETT, in reply, said, that, after giving the subject careful consideration, he regretted to find that there were serious difficulties in the way of such a scheme as was suggested in the Question of the hon. Member.

## INDIA—PROTESTANT MISSIONARIES.

Mr. WHITLEY asked the Secretary of State for India, If he will state the reasons why the present Viceroy has for the first time prohibited public preaching by Protestant missionaries in Calcutta?

The Marquess of HARTINGTON, in reply, said, that he had asked the hon. Member on Friday to postpone his Question. He had, at the same time, asked the hon. Member whether he had any information on the subject beyond certain telegrams which had appeared in the newspapers. He understood the hon. Member had no further information. He had, on the former occasion, pointed out to the hon. Member that the statements in those telegrams did not correspond with what was contained in his Question. The statement that he himself had seen was to the effect that any action which had been taken in the matter had been taken by the police under the instructions of the law authorities, and not in any way by the direction of the Viceroy of India. He had no further information on the matter, and had no reason to believe that either the Viceroy or the Government of India had taken any steps in the matter.

## ROYAL HIBERNIAN MILITARY SCHOOL.

Mr. MELDON asked the Secretary of State for War, Whether the Royal Hibernian Military School is incorporated by Charter, or how otherwise; and, if by Charter, the date of same; whether there is any objection to lay Copy of the Charter of Incorporation upon the Table of the House; and, whether the office of Commandant, and other superior officers of the School, are Civil or Military appointments or not; and what are the rules regulating the status and rank of such officers?

Mr. CHILDERS: In reply to my hon. and learned Friend, I have to state that the Royal Hibernian School is incorporated by a Charter dated September 8, 1871, and I presume that my right hon. Friend the Chief Secretary for Ireland will have no objection to laying a copy on the Table. The duties of the Commandant, Adjutant, and medical officer are mainly civil, although technically for certain purposes these officers have a military character.

## SOUTH AFRICA—LOAN FOR THE CAPE GOVERNMENT.

Mr. ANDERSON asked the Under Secretary of State for the Colonies, If the new loan of two millions for the Cape Government, just announced by the Crown agents for the Colonies, is being issued under instructions of Her Majesty's Government; and, if he is yet in a position to say whether the Cape Government is a corporation that can be sued; and, if not, whether he is satisfied that the giving instructions would not of itself carry responsibility, failing other remedy?

Mr. GRANT DUFF: To the first Question my reply must be in the negative. The loan is issued, as the prospectus shows, on behalf of the Cape Government under an Act of the Colonial Parliament. In reply to the second Question, I have to say that I am not yet in a position to add anything to what I said on the 2nd of this month. As to the third Question, I have to repeat that the Imperial Government undertakes no responsibility for this or any such loan, direct or indirect. I have further to remind my hon. Friend that I promised Papers on this subject as soon as possible.

## STATE OF IRELAND—DUNGARVAN WORKHOUSE.

Mr. R. POWER asked Mr. Attorney General for Ireland, If it is true that on the 12th instant a body of police entered the workhouse at Dungarvan without assigning any reason for so doing; that they remained there while the board was sitting; and, if he can give any reason for so unusual a proceeding?

The ATTORNEY GENERAL for IRELAND (Mr. Law): It is not a fact that the police entered the workhouse at Dungarvan on the 12th instant, and remained there while the board was sitting. What really occurred was this. On the occasion in question there was an election being held for the clerkship of the Dungarvan Union. One of the candidates was put forward by the Land League, and a good deal of excitement existed. It was thought that a demonstration might be attempted by the crowd outside the workhouse against some of the Guardians when proceeding to vote, and it was therefore deemed advisable to take the usual course of having a small police force in the vicinity to preserve order if required.

### RELIEF OF DISTRESS ACT—LOANS TO RAILWAYS.

MR. P. MARTIN asked Mr. Attorney General for Ireland, Is it the fact as stated in the "Daily News" of Saturday last, that in consequence of the restrictions inserted by the Government in the Relief of Distress Act passed last Session, there is but one alone of the various Irish Railways scheduled with the purpose of being benefitted under that Act which is capable of receiving a loan under its provisions; was it not declared at the time when the Bill was passing through the House, to have been the intention of Parliament to encourage employment by granting loans in all proper cases to these scheduled Railways; and, under the circumstances, is it his intention in the present Session to introduce a Bill to amend the Act?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): The statement upon which this Question is founded is not quite correct. It is true that most of the Railway Companies mentioned in the Schedule to the Relief of Distress Act either have not come into existence at all, or are not in a position to borrow money legally, because their share capital is not subscribed, or not paid up. It is not my intention to introduce any Bill which would enable baronial guarantees to be given, or loans to be made to non-existing Companies, or to Companies which cannot legally borrow money.

### LANDLORD AND TENANT (IRELAND) —CONDITIONS OF TENURE.

MR. HEALY asked the First Lord of the Treasury, Whether every yearly tenant in Ireland has, under the present Law, full power to sell his interest in his farm; whether he can convey to any person he pleases all his rights in his holdings by deed or writing; whether the only check on this right is the landlord's power of eviction or rent raising, which may be as freely exercised on the tenant himself as on any purchaser from him; whether, if the landlord wishes to exercise this power against the purchaser, he must not terminate the tenancy by notice to quit, as if he were dealing with the tenant himself; and, whether the purchaser, if evicted, has not equal rights with the tenant himself under the Land Act of 1870, save as restricted by section 13 thereof?

MR. GLADSTONE: In answer to the hon. Gentleman, I am advised that unless a tenant holds under a written contract which prohibits assignment, he has the power. This is a question which could be better discussed when the hon. Gentleman proposes the repeal of the 13th section of the Land Act—a proposal which we are not indisposed to entertain.

### AFGHANISTAN — EVACUATION OF PISHIN — ALLEGED SETTLEMENT OF THE DIFFICULTY WITH THE BHEELS.

MR. E. STANHOPE: I beg to ask the noble Lord the Secretary of State for India, Whether the telegram which has appeared in *The Times*, stating that the Government have given peremptory orders to the Government of India for the evacuation of the Pishin Valley as early as practicable, is true?

THE MARQUESS OF HARTINGTON: There is no foundation for the statement, and I cannot find out how it could have originated. In the only despatch sent on this subject since the discussion in this House, while we asked for an explanation as to the large force said to be kept in Pishin and Sibi, we repeated, and rather confirmed and extended than restricted, the discretion which had been given to the Government of India as to the time at which the evacuation of this district should be carried out.

COLONEL MAKINS asked, Whether the statement by the Correspondent of *The Times* was correct, that the Government had made terms of peace with the Bheel tribe, and that one of the terms was that in future the Bheels were to be allowed to levy black mail on travellers?

THE MARQUESS OF HARTINGTON: If the hon. Member wishes for full information on this subject, he had better give Notice of the Question. I cannot give particulars as to the terms of the arrangements made with the Bheels; but my impression is that the statement has as little foundation as that mentioned in the previous Question.

## LAND LAW (IRELAND) BILL.

Sir STAFFORD NORTHCOTE: I wish to ask the First Lord of the Treasury, Whether it is his intention to move to report Progress in Committee on the Land Law (Ireland) Bill at any particular hour?

Mr. GLADSTONE: Before 12 o'clock.

## *MOTION.*

## PARLIAMENT—PRIVILEGE (MR. P. EGAN).

Mr. MITCHELL HENRY: I regret to have to call the attention of the House to a Breach of Privilege of so serious a character that it is impossible not to take notice of it. I refer to a letter which has been published in a newspaper by Mr. Patrick Egan, treasurer of the Land League, reflecting in very gross and vulgar terms on the conduct and motives of hon. Members of this House as regards the votes they have given on a measure now under discussion. The writer of this letter, who, from his own account, appears to have had a good deal to do with the election of Members of Parliament who were returned to support the policy of the hon. Member for the City of Cork (Mr. Parnell) and the Land League, seems to be of opinion that the time has come that was prophesied by Grattan at the time of the Union, when the Irish people would return to this House, in revenge, some of the greatest scoundrels that ever disgraced a Legislative Assembly.

Mr. A. M. SULLIVAN: I rise to a point of Order. [*Cries of* "Order!"]

Mr. SPEAKER: Does the hon. and learned Member rise to Order?

Mr. A. M. SULLIVAN: Yes. I wish to ask whether these words should not be taken down? I understood the hon. Member to say that, in his opinion— ["No, no!"]—If I am wrong I will be very glad to withdraw; but I understood him to say that, in his opinion, the time alluded to by Mr. Grattan had come, and I wish to know if he meant those words to apply in any sense to hon. Members on this side of the House?

Mr. MITCHELL HENRY: If the hon. and learned Gentleman was a little more attentive to what was being said, and not so anxious to distinguish himself by rising to points of Order so frequently, probably he would conduce more than he now does to the order of our proceedings. I said it was the writer of the letter who seemed to be of that opinion; and I was going on to say, when I was interrupted, that I did not think, whatever the opinion of that official person of the League may be, the House of Commons would permit anyone to make such reflections upon the conduct of hon. Members in this House as are made in this letter without taking notice of it. The letter is dated from the Hotel Brighton, Paris, 22nd May, and the writer is in the habit of coming into the Lobby of this House, because it appears from an answer to his letter which has been made by an hon. Member that he actually shook his fist in the face of the hon. Gentleman, and threatened him for the action he had taken in this House. I therefore trust that some steps will be taken to protect Members from any possible assault of this kind in future. The letter is to Thomas Brennan, esquire, Dublin.

Lord RANDOLPH CHURCHILL: I rise to Order. I would like to have your ruling, Sir, whether a Question of Privilege can possibly arise on an act committed in a foreign country?

Mr. SPEAKER: I understand the hon. Member to be reading, or to be about to read, from a newspaper published in this country.

Mr. HEALY: I rise to Order, Sir. I understand that a matter of Privilege is one which must be brought at once under the cognizance of this House. I understand this letter was published last Wednesday; and I wish to ask whether, several days having intervened between the publication of the letter and the calling attention to Privilege, it is now in Order to raise the question?

Mr. SPEAKER: In answer to the appeal of the hon. Member, I see no ground at present for intervening between the hon. Member for Galway and the House.

Mr. MITCHELL HENRY: This letter was published in *The Freeman's Journal* on Thursday; it did not reach this House until Friday; and I do not see, therefore, how earlier attention could have been called to it. The letter is as follows:—

"Hotel Brighton, 218 Rue de Rivoli,
Paris, 22nd May, 1881.

"My dear Mr. Brennan,—Since last advice I have received from our friends of the 'Irish

World,' New York, per cable, the sum of 3,500 francs; from the St. John's Branch Ladies' Irish National Land League, San Francisco—Mrs. J. Crogan, president; Mrs. P. J. Corbett, treasurer— 507 50-100 francs, and from Branch No. 8, Parnell Land League, Moutelair, New Jersey—Mr. Hugh Galligher, treasurer—778 10-100 francs. I will advise by wire any further remittances that arrive up to Tuesday. I perceive that on the division on the Land Bill certain Irish Members supposed to belong to the active Party went over to the Government, and prominently amongst them I notice Mr. O'Connor Power and The O'Donoghue. Both of these Gentlemen were Members of the active Party. They attended the meeting at which the policy of the Party was considered, and they voted on the resolution binding the Party to abstain from voting. This being so, they were clearly and unmistakably bound by the resolution passed at the meeting; and I consider that they, and the others who acted in like manner, stand exactly in the position of a blackleg on a racecourse, who, if he wins, will pocket your money, but if he loses will refuse to pay. I consider I am bound to call particular attention to a carpet-bagger, who, after a hard-fought battle by the gallant men of Wicklow, was returned for that county by a majority of seven votes—Mr. M'Coan. This person, who is utterly unknown to the people of Wicklow, had the audacity to say to me a few days ago in the House of Commons that he defied the Land League, and that he could go back to Wicklow and be re-elected in despite of all the influence of the League. I wonder much what honest James Grehan and our other friends in Wicklow will say to this? Of course, Mr. O'Connor Power, The O'Donoghue, Mr. M'Coan, and the rest of the trimmers, will plead their deep regard for the interests of the tenant farmers; but I think the country will plainly see that their motive was a desire to help the present cowardly, hypocritical, priest-hunting, buckshot-distributing Whig Government, now, as ever, base, bloody, and brutal.—Yours sincerely,

"PATRICK EGAN.

"Thomas Brennan, Esq., I. N. L. League,
Dublin."

I apprehend that there never was a letter of a more atrocious character reflecting upon the conduct of hon. Members. It is not for me to defend any of these hon. Gentlemen; but I will take leave to say of one of them, with whom I have had the pleasure of sitting for a good many years in this House—I mean the hon. Member for Mayo (Mr. O'Connor Power)—that whilst he is a Gentleman very advanced in his opinions, he is also known as one who has the courage of his opinions. He is one who has shrunk from the cowardly course of hiding himself in London and pretending to be in Paris, or taking any other course by which he would stimulate poor men to risk their lives and fortunes in a vain struggle with the Executive Government. I do not wish to make a martyr of this person by bringing him to the Bar of the House; but I trust that you, Sir, will be pleased in your discretion to order that he shall no longer be admitted within the precincts of the House. I will move that this letter be read by the Clerk at the Table, and that it is a gross breach of the Privileges of this House.

MR. PARNELL: May I ask—["Order, order!"]—whether—["Chair!"]

MR. SPEAKER: This is the ordinary course. The first step to be taken is that the statement complained of should be read by the Clerk of the House.

The Clerk of the House then read the statement referred to.

MR. MITCHELL HENRY: Then, Sir, I beg now to move—

"That the Letter published in the 'Freeman's Journal' of the 26th May, signed Patrick Egan, is a breach of the Privileges of this House."

MR. M'COAN: It is with some reluctance that I rise to second the Motion that has just been made—a reluctance arising, in the first place, from my own opinion of the insignificance of the incident embodied in the letter; and, secondly, because I have given myself the personal satisfaction of replying in *The Freeman's Journal*. So far as Mr. Egan is concerned, I do not think he is much in my debt; but inasmuch as the letter of which complaint has now been made to the House is not an attack simply upon my personal position or character, but reflects upon the character, and is an insult to other Members of this House, I do not think I do more than discharge my duty in formally seconding the Motion.

Motion made, and Question proposed,

"That the Letter published in the 'Freeman's Journal' of the 26th May, signed Patrick Egan, is a breach of the Privileges of this House."—(*Mr. Mitchell Henry.*)

MR. PARNELL: I think the hon. Member who has brought forward this question has not exactly foreseen the consequences of the adoption of the Motion brought before the House. It appears to me that if the House adopts the Motion it would be tantamount to a declaration that the editor and persons connected with *The Freeman's Journal* have been guilty of a Breach of Privilege by the publication of the letter referred to as being signed by "Patrick

Egan." I am speaking now without any communication with Mr. Egan, and entirely without an authority from him; but, of course, the House has no evidence before it—["Oh!"]—it has no legal evidence as to who the letter was written by; the only evidence in the possession of the House is that *The Freeman's Journal* of the date named contained such a letter. Of course, if the House considers it desirable to treat the publication of such a letter as a Breach of Privilege I shall not object for my own part; but I will only say that upon other occasions when Irish Members have brought forward much more libellous matter published by English newspapers against Irish Members the House has always refused to treat it as a Breach of Privilege, and has either passed on to the Order of Business or set the question aside in some indirect fashion. But, of course, if the hon. Member wishes to bring the editor of *The Freeman* to the Bar for publishing the letter, I am sure he will not evade the responsibility involved in such publication; and when my friend Mr. Egan is attacked by a direct Motion I am quite sure that he also will duly meet his responsibilities.

Mr. CALLAN: I am sorry the hon. Member for Galway has brought this matter forward, instead of giving private Notice to Irish Members. I may say that I am certainly most impartial upon this matter. I have no sympathy with either party. If the hon. Member for Galway had consulted with his hon. Friend the Member for Mayo, he would have been asked not to bring this matter forward, for the hon. Member for Mayo, I am sure, would not object to the use of what might be harsh language; but I remember in this House, not more than two years ago, when we assembled for a great national purpose —to vote Supplies for the Afghan War —the Leader of the Party to which I then belonged—yes, a Member respected by every part of this House, Mr. Isaac Butt—was termed "a traitor," because he would not—he could not—obstruct the Imperial Business. The hon. Member who so charged him was the hon. Member for Mayo, who should not have been a party to the bringing forward this matter by the hon. Member for Galway. As to the letter which has been read, it was an illustration of the saying that when friends fall out they become the bitterest enemies. I remember when Mr. Patrick Egan and the hon. Member for Mayo were fraternal brothers, and I must say they were *Arcades ambo*.

Mr. O'CONNOR POWER: While I sincerely offer my thanks to my hon. Friend the Member for Galway, who has drawn the attention of the House to this subject, I sufficiently sympathize with the hon. Gentleman who has just sat down to enable me to say that I do not require any Resolution of this House in vindication either of my public or personal character. I regret as much as anyone that it should be necessary to call the attention of the House to a question of this kind; and I should be very reluctant to fetter, in the slightest degree, legitimate public criticism. If the letter of Mr. Patrick Egan were not an official document, stamped with the official sanction of an organization which is presided over by the hon. Member for the City of Cork (Mr. Parnell), and of which many of my hon. Colleagues who are now sitting close to me are members of the Executive Body, I, too, should have considered that the reply which I have had an opportunity of sending to the denunciation of Mr. Egan would have been the most fitting answer that document should call for. But it is clear to everybody that a letter of that character could not have found its way into the office of *The Freeman's Journal* without some help from the Executive of the Land League; and I must express my disappointment that since the hon. Member for the City of Cork thought proper to interfere in this debate, he did not think proper to so far sympathize with the position of a Member of his own political Party in this House, and a Colleague of many years, to either reprobate, or, at least, disavow the sentiments contained in that letter of his official colleague. I have already shown, Sir, by my action with reference to the measure of Land Reform introduced by Her Majesty's Government, and to which this letter refers, that I am not to be terrified by the resolutions of the Land League. It was, therefore, quite unnecessary on the part of the hon. Member for Galway to make this Motion for my protection; but I am perfectly sure it was imperatively necessary that he should make it for the protection of some of my Colleagues. This is only a small part of the terrorism which has been practised, and which, as far as I can gather from the speech of the hon. Member for the City of Cork, it is intended shall be continued, towards Gentlemen who dare to differ from the decrees of the Irish National Land League. The word has gone round, Sir, from persons high in authority in that organization, that every man who dares to support any measure introduced by the Government shall be branded as a "place hunter;" and when anyone reflects upon the painful character of the relations which have subsisted for a long time between the English Government and the Irish nation—between the Irish nation and this House—I am sure he will readily recognize how artful and how dangerous an accusation of that sort is. I have been for a longer period a Member of this House than the hon. Member for the City of Cork, or many of his Colleagues who are members of the Executive of the Land League. I am speaking in the presence of Ministers of the Crown and of ex-Ministers of the Crown; I am speaking in the presence of a crowded House; and I say I challenge any Member of this Assembly to dare to assert that my vote or action has ever been compromised by mercenary considerations. Nay, more, I regret to be obliged to add that gentlemen who are engaged in bringing these accusations against their countrymen are themselves gentlemen who have within less than 12 months repeatedly applied to me to use my influence to obtain for them situations under Her jesty's Government. ["Name, name!"] The hon. Member for the City of Cork asks for name. I shall give it him. I shall give the name of a paid official of the Land League, who sends this telegram from the executive offices of the League in Dublin—

> "T. P. Quinn, Land League Offices, Dublin, to John O'Connor Power, M.P., January 20. Mr. Monaghan"—who is, by the way, a very prominent member of the Land League in Ballinrobe, County Mayo—"telegraphs you requesting influence on behalf of Mr. Daly"—Mr. P. J. B. Daly is a well-known solicitor in Mayo, who has been recently employed in defending the oppressed tenant farmers, and hired for that purpose by the Land League—"solicitor, Ballinrobe, who seeks Crown Prosecutorship for Mayo. Comply with Monaghan's request, by me re-asked, and both shall remember, and doubtless one day will repay you. I will write you to-night."

Here are gentlemen, members of an organization—one of them at present a paid secretary in the office of the Land League in Dublin—who try to induce me to do what I have never done in reference to Government patronage in my constituency or anywhere else in Ireland—who endeavour to seduce me from my invariable rule not to interfere in Government patronage by the promise of political support on some future day. I have felt it necessary that I should, in a manner in which the whole country should be a witness of my acts, repudiate the insinuation that has been levelled against me. I do not appeal merely to the English Members of this House, but I appeal to the most intimate friends and associates of the hon. Member for the City of Cork, when I say to-day that they know very well I am not capable of being influenced by such considerations as the treasurer of the Land League has thought proper to attribute to me. Unfortunately, Irish politics are in this position—that it requires greater courage to support a Government when they are right than to oppose them when they are wrong. I have supported them by voting in favour of the second reading of the Land Law (Ireland) Bill, because I believed I was right, and because I had a mandate from my constituency, legally and legitimately conveyed to me at a public meeting in the country. I am very much embarrassed at being under the necessity of making this statement to the House; but when not only the courtesies of Party warfare, but the obligations of political comradeship — aye, and truth itself—have been sacrificed to gratify an insane ambition, I humbly think that the hour has come for a man who can be neither bribed nor terrified to record his protest in the light of day.

THE O'DONOGHUE: I am also one of the Members alluded to in the letter which has been brought before the House by the hon. Gentleman the Member for Galway. Perhaps I may likewise be allowed to say a few words. I was sorry when I heard such a letter had been written, and I was sorry when I read it, because I saw it must lead to dissension, and that it would impose upon me the necessity of protesting against the imputations cast upon me by that letter. From the moment I heard the speech of the Prime Minister I felt there was little doubt that I would support the second reading of the Land

Law (Ireland) Bill. I read it many times over in conjunction with a gentleman of the highest ability, character, and patriotism, and I came to the conclusion that I was bound by every consideration of duty to support that measure. Sir, I believe that a more thorough measure was never introduced into Parliament. [" Question ! "] Sir, it is the Question. I believe that a more thorough measure was never introduced into Parliament; and I have no doubt it will be carried through by the Government and the Liberal Party unflinchingly, and without allowing its main provisions to be impaired. Whatever differences I may have with the Government on matters of general Irish policy, I am resolved to co-operate with them loyally to carry this measure, as if those differences did not exist, or had never existed. I cannot claim to be more docile or tractable than other Members; but I believe that I am as willing to hear what has to be said on the other side of the question as any other Gentleman, and to yield when I find reason against me. Long as I have been in the House I have never allowed —and I never intend to allow—myself to be carried on one side whilst my convictions are on the other.

Mr. GLADSTONE: Sir, it appears to me that there are two matters which have come into our view on the present occasion. One is the Motion made by my hon. Friend, with respect to which, considering it nakedly in its terms, I apprehend there can be no doubt it is a proposition which must be affirmed—that is to say, that the letter which has been read is a breach of the Privileges of this House. I am not speaking now of the authorship of that letter; but the matter of the letter attaches to it that character. At the same time, I greatly doubt whether we ought not to endeavour to persuade my hon. Friend not to persist in the Motion that he has made. And for this reason. He himself has said that he thinks there is no advantage in enabling a person to aspire to the character of a martyr by calling him to the Bar of the House; and he suggests in lieu of that that you, Sir, in your official capacity, should order that this gentleman be debarred from entering the precincts of the House. I quite concur with my hon. Friend in thinking that we should not do well to invest this gentleman, whoever he may be, with any sort of glory by bringing him to the Bar; but, on the other hand, I think that to put in motion the machinery of this House, and the authority and dignity of the Chair, for the purpose of debarring from entering the precincts of the House a gentleman who has no title to be there—except such as is possessed by every one of the 4,000,000 people of this Metropolis and by the 34,000,000 people of this Realm—would be an operation too great, too serious, for the end at which it aims; and, consequently, I should hope that my hon. Friend will not put in movement such machinery for a purpose apparently so trivial. But, besides the Motion before us, there is the discussion which has arisen upon it, and to that I confess I attach no inconsiderable significance. In the first place, in the position I have the honour to hold in this House, I think it is only fair that I should render my testimony as to the Gentlemen whose characters have been impugned. One of them has sat here for a very short time; the others have sat here for a considerable time. One of them has, I think, sat here for a very considerable time; and I know of no title that any man possesses to say one word reflecting on the Parliamentary character or conduct of any of the three. I am quite sure, with respect especially to the hon. Member for Mayo (Mr. O'Connor Power), who has been particularly attacked, that it was needless for him to challenge any man to cast imputations upon him, as he did in the strength of conscious innocence; because, so far as I am acquainted with the sentiments of this House—and I think I know the sentiments of a very large, and, perhaps, preponderating number of Members — the very last thing they would think of doing, either at this moment or at previous periods, when the hon. Member may have been taking a political course different from ourselves—that one of them would dream of would be to raise the slightest question as to his motives, or to throw the slightest doubt upon his honour. Another personage has, however, appeared upon the scene—namely, the hon. Member for the City of Cork, and the case stands thus:—We have before us a letter of the matter of which—whatever its importance may be—of the matter of which I imagine that almost, if not quite, every man in this House is of opinion that it is in a high degree libellous, scurrilous, and discreditable to the person who wrote it. Under these circumstances, the hon. Member for the City of Cork rises, and he describes the gentleman whose name appears at the close of this letter as his friend. [Mr. PARNELL: Hear, hear!] What course does he take in respect to the matter of the letter? He does not avow it, and he does not condemn it. But the measure that he takes is a measure to endeavour to throw the House off the scent as to the person who is really in question. "Do not, I entreat you," he says, "bring into accusation the proprietors or the writers of *The Freeman's Journal*," and he sets them forth as the victims whom the hon. Member for Galway has in view. Now, although I have had no communication with the hon. Member for Galway, I venture to say that these are not the persons he has in view. The summoning of the editor, or proprietor, or printer of *The Freeman's Journal* to the Bar would, I apprehend, be, if this were a matter which ought properly to be pursued, only a formal step on the road of detection of the real offender, and the real offender in this case is the gentleman whom the hon. Member for Cork has described as his friend and has tried to screen from our view. What I mean is this. The hon. Member for Cork says that we have no evidence as to the authorship of this letter—no evidence at all. We know that it was published in Dublin on Thursday in last week; we know that Mr. Egan exists; we trust that he is well; we think it probable that he has read this letter as published in *The Freeman's Journal*. And if Mr. Egan, being in existence, and being in the possession of sound mind, and in possession of his health, and having read that letter, thinks that the appearance of that letter with his name at the foot of it does not call upon him for some disavowal, then, Sir—I am not speaking now of legal evidence, which I do not want, because I do not wish to proceed in the matter. [Mr. PARNELL: Proceed, proceed.] I think we have the strongest moral evidence that the letter was written by Mr. Egan. But Mr. Egan is not to be regarded as an individual, but as a powerful and prominent officer of an organization; and that organization is the organization of which the hon. Member for the City of Cork is the centre and the soul. And this House has a right to know from the hon. Member for Cork whether he thinks this is the manner in which it becomes him and his agent to describe the Parliamentary proceedings of his Colleagues. I think he will feel the force of this appeal. He will be aware that they, and aware that we, have a right to know whether it is by means like these—by terrorism like this, as it has been justly called—I might, perhaps, say by terrorism of a kind not unlikely in certain circumstances and in certain places to be followed up by other measures—whether it is thus that the hon. Member seeks to establish peace, order, and liberty in Ireland? Sir, the writer of that letter, be he who he may, is a man in whose mouth every profession of a regard for liberty is a mockery and a delusion. And there could be no greater misfortune for Ireland than that the cause of her people should be disgraced by having its support and its propagation confided to such men.

MR. HEALY, having referred to the avidity with which denunciations directed against Irish Members were listened to, said, it was exceedingly remarkable that though there was no collusion between the hon. Member for Galway and the hon. Member for Mayo, the hon. Member for Mayo should have so conveniently in his pocket the proofs of guilt of certain Members connected with the Land League. [Mr. O'CONNOR POWER said, he had got more.] If the Motion of the hon. Member for Galway were carried, and Mr. Egan should be excluded from the precincts of that House, he could only say that Mr. Egan, on the very first opportunity, would be found coming into that House in a representative character; and he, for one, if only to prove how utterly such sentiments as those which had proceeded from the hon. Member for Galway were discredited in Ireland, he, for one, would be willing to give way for him. He felt sure, no matter with what satisfaction such an arrangement might be regarded in that House, that that satisfaction would be nothing to the satisfaction which the constituency which he had the honour to represent would feel in having as a Representative a man so upright, a man who had spent so much of his time and of his money in the cause of Ireland as

Mr. Patrick Egan. He himself might have brought under the Speaker's notice a more gross and calumnious attack made on himself and other Irish Members, not in an Irish but in an English newspaper; but he had refrained from doing so, though he was called an Obstructive, because the Land Law (Ireland) Bill was before the House; and he regretted that the hon. Member for Galway, who professed to be more in favour of that measure, had not taken the same course. He would read to the House four lines from that newspaper.

Mr. H. SAMUELSON asked whether, on a Motion that a certain article in a newspaper was a Breach of Privilege, it was in Order for a Member to rise in his place and read other newspaper articles which he thought were injurious to him, but with respect to which he proposed to make no Motion to the House?

Mr. SPEAKER said, that the hon. Member for Wexford had a right to speak on the Question before the House.

Mr. HEALY said, as the hon. Member for Frome had never been noted——

Mr. H. SAMUELSON wished to make himself understood before the hon. Member for Wexford proceeded to castigate him. Was the hon. Member in Order in reading an extract that had nothing whatever to do with the Question before the House, and upon which he founded no Motion?

Mr. SPEAKER said, that the hon. Member for Wexford was about to quote from a newspaper when the hon. Member for Frome interrupted him.

Mr. HEALY, after the reproof just addressed to the hon. Member for Frome, would let him severely alone. He would now read the extract to which he had alluded from a newspaper which he would not advertise by naming it. That paper said that of course Mr. Healy was put up by Mr. Parnell to oppose the Vote of Thanks to Sir Frederick Roberts and the troops engaged with him in the Afghan War; that if that young man was left to himself he would make a very good Member of Parliament; but, unfortunately, he was not only elected as a follower of Mr. Parnell, but also as an *employé* of that person, and if he did not obey orders the connection would terminate and the salary would cease. If he had brought that matter before the House he would not have received the sympathetic and cordial cheers which had been given to the hon. Member for Galway and the hon. Member below him, but he would have been rebuked for wasting the time of the House, and delaying an important measure. The statements made in the paper to which he had just referred were as untrue as many others which appeared in English newspapers about the Irish Members; and he would advise the hon. Member for Galway and those who acted with him to show some of the patience with which the Irish Members on his side bore the attacks directed against them.

Mr. MITCHELL HENRY: I would ask the permission of the House to withdraw my Motion—["No, no!"]—after the noble vindication of the rights and privileges of Members of this House which that Motion has evoked from the Prime Minister, and which I trust will be a lesson to hon. Members, both as regards their conduct towards their fellow-Members and also as regards those with whom they associate themselves. I beg to withdraw my Motion.

Mr. A. M. SULLIVAN said, he did not intend to interfere in a scene which to him was exceedingly painful, and one which he regretted should at all have occupied the attention of the House; but the Prime Minister alluded just now to the fact that the hon. Member for Cork City claimed Mr. Egan as a personal friend; and he (Mr. Sullivan) confessed at a moment when such obloquy and denunciation were hurled at the head of a gentleman whom he had long called a friend, it would ill become him to refrain from saying that he shared with the hon. Member for Cork the privilege of calling Mr. Patrick Egan his friend. One might honestly differ from a friend, and one's friend might often say and do things which one might regret. He read with sincere sorrow the letter of his friend Mr. Egan, for the sake of one passage contained in it. He had long known his hon. Friend behind him (Mr. O'Connor Power), and nothing within his knowledge or belief would ever induce him to sympathize with a charge reflecting upon his personal honour. He deplored that letter; but he complained of the Motion before the House, which must not be withdrawn. The hon. Member must not be allowed to make an empty parade. He knew that in attacking Mr. Egan amid screams of applause he was attacking Mr. Egan in a place where he could not be heard. [Mr. O'CONNOR POWER: Mr. Egan is well represented in this House.] Besides, Mr. Egan's letter had been replied to in Ireland in language which he could not trust himself to describe in that House. The hon. Member for Galway had raised a scene which he knew well the enemies of Ireland would gloat over, which he knew was calculated to hold Ireland up to ridicule, and which he knew every honest Irishman would deplore. Mr. Egan, owing to the infamous system which prevailed in Ireland now, was driven from his home. There was neither justice nor law in Ireland at present, when men were dragged from their beds, and every protection which men should have in a free land was denied. Mr. Egan had a large mercantile business in the City of Dublin, and in that city he had borne for years a spotless reputation as a merchant and a man of business. He seized that opportunity to claim Mr. Egan as his friend, and he should hardly be deterred from that course because the hon. Member for Galway came there in his last Parliament to have it out with the people of Ireland by exhibiting their Representatives engaged in a discreditable quarrel of this kind. The hon. Member for the County of Galway had been no party to these charges whatever. He was in no way touched by the accusation. Let him go through with his discreditable work. Let him not fire his blank cartridge and then run away. Let him bring the publisher and Mr. Egan before the Bar; and the House would find that Mr. Egan was as honourable a man as the Member for Galway ever associated with inside or outside the House.

SIR STAFFORD NORTHCOTE: Sir, it has more than once been my lot to take part in proceedings when letters or articles in the newspapers have been challenged as Breaches of Privilege in this House; and the general inclination of my mind, and my general course, has been to dissuade the House, as far as possible, from taking notice in a serious manner of imputations such as those that are cast upon the House, or its Members, in public newspapers. If this had been an ordinary case of that sort, I should entirely have agreed with those who think that that course should be pursued on the present occasion. But, Sir, I think that it is utterly impossible to shut our eyes to the fact that this is not an isolated letter which is written and can be regarded as an isolated transaction. We cannot ignore the fact that the letter must be taken in connection with the proceedings of the body from which it is asserted the letter emanated. It is impossible to close our eyes to the fact that there is a system of terrorism, which is applied in the most unscrupulous manner, and of which this letter may be, and appears to be, an example. And that being the case, I think this House has no option but this—that it is bound to protect, as far as it can, its Members from attacks of the kind which are aimed at hon. Members, and calculated to disparage, if possible, the honesty of their votes and proceedings. The hon. Members who have spoken in this debate may very safely leave their characters in the hands of those who have witnessed their conduct in this House. I can add nothing to what has been said by the Prime Minister on that subject. But I do think it is a case in which, the charge having been made, not by Mr. Egan as an individual, but as the representative—the treasurer—of the Land League, and his action having been taken of and not disavowed in this House, and the challenge, therefore, having been put with all that weight and authority, it seems to me that it is quite impossible for us to do otherwise than give a vote which, undoubtedly, is that which the House will be bound to give if the Motion of the hon. Member is put. I should myself, under other circumstances, have joined in the request to the hon. Member to do that which he says he is willing to do—to withdraw his Motion, and leave the matter upon what has been said; but we are told that that course will not be allowed. We shall be challenged to vote, and I think it would be well for the hon. Member not to attempt to withdraw, but to take a vote on his Motion.

SIR WILLIAM HARCOURT: No doubt, the declaration made by the hon. and learned Member for Meath (Mr. Sullivan) makes it impossible that the Motion should be withdrawn; and I think, under these circumstances, it will be advantageous that we should see who are the Members of this House who approve of this letter, and who declare it to be not an improper letter, and not a Breach of the Privileges of this House.

Every man who votes against the Motion is a man who approves this letter. ["No!"] The hon. Member for Cork City (Mr. Parnell) shakes his head. Has he dared to say whether he approves this letter or disapproves? He is in a position in which he dare not say one or the other. He will not undertake in this House to say he approves it, and he dare not say out-of-doors that he disapproves it. That is the explanation of the position of the hon. Member for Cork City with reference to this disgraceful, this scandalous, this discreditable document. How is this production headed? This letter is headed thus in *The Freeman's Journal*—

> "The following letter from Mr. Patrick Egan, Paris, treasurer of the Irish National Land League, was intended to be read at the meeting of the Land League yesterday, but it arrived too late."

It is an official missive—an address to the Irish Land League. I challenge the hon. Member for Cork City to get up and deny that it was not sent as an official letter from the Irish Land League to *The Freeman's Journal*. Will he dare get up and justify this letter in the face of the House? If he does not, then I venture to say there is no man in England, Scotland, or Ireland, who will not say that the letter signed "P. Egan," and the spirit and sentiment it expresses, are the sentiments of the hon. Member for Cork City. It is his policy, his spirit, his actions, which are expressed in every line of that letter. The hon. Member for Cork City and those who follow him will vote their approbation of this letter, and they will say that it is not a Breach of the Privileges of this House; but I believe that a great and overwhelming majority of the Representatives of the people of the three countries—the Gentlemen who are Members of the House of Commons—will affirm the Motion which has been brought forward by my hon. Friend the Member for Galway, and declare that language of this description is scandalous, and a Breach of the Privileges of this House.

Lord EDMOND FITZMAURICE wished to point out that the debate was rather drifting away from the Question which was before the House. They were getting into a discussion upon the conduct and character of the hon. Member for Cork, and that was not the Question before them. No one in that House would be suspected of sympathizing with the astonishingly gross language used with regard to this question. He deprecated putting the whole machinery of the House in motion, because if they agreed to the Resolution they would have to take further steps in the matter. He asked the House to remember the conflict which they had last Session.

Lord RANDOLPH CHURCHILL said, that he needed not to express his hearty concurrence in the remarks which had fallen from his noble Friend. He thought the best course to pursue was that the Motion should be negatived, and that they should proceed with the Land Law (Ireland) Bill. He would point out that if the Motion were carried, it would be absolutely necessary that the publishers and printers of *The Freeman* should be summoned to the Bar of the House, in order to get at the writer. That would come on after to-morrow or Thursday; then the discussion would follow. But another question might arise, as the letter was written from a foreign country, and hardly came within the jurisdiction of the House. There was no doubt that the hon. Member for Galway would have withdrawn his Motion if it had not been for the speech of the Home Secretary, who always came forward on these occasions as the Bombastes Furioso of debate denouncing everybody right and left. He was sure the right hon. Gentleman's Colleagues would regret that he had ever made that extraordinary speech. Whenever the right hon. Gentleman saw an opportunity of making an attack upon any Member of the House, he could not resist it. If the Land Bill of the Government was obstructed and did not make progress, they would have nobody to blame but themselves and the foolish and stupid advice of the Home Secretary.

Mr. LABOUCHERE: I think, Sir——

Sir WILLIAM HARCOURT: I rise to Order, Sir. [*Cries of* "Order!"]

Mr. SPEAKER: The right hon. Gentleman, having risen to a point of Order, is entitled to be heard.

Sir William Harcourt not rising again,

Mr. LABOUCHERE said, he disapproved entirely of the letter of Mr. Egan, and thought it was quite unnecessary for the hon. Member for Mayo and his Friends to ask the House to say that the allegations contained in the letter complained of were unjustifiable. But they were asking that the House should declare that the letter was a Breach of Privilege. There was no doubt that, technically, the letter was a Breach of the Privileges of the House. But he could not help thinking that the suggestion of the Prime Minister was better than that of the Home Secretary. He did not suppose that the right hon. Gentleman the Leader of the Opposition, or the hon. and learned Member for Meath (Mr. Sullivan), would desire to press the matter to a division. There was another reason why he thought that the Motion should be withdrawn, and that was that the hon. Member for Mayo himself had written a reply to Mr. Egan, and the reply was so strong that the hon. Member himself ought to be considered to have debarred himself from asking the House to interfere. He would read part of the letter to the House. The hon. Member said—

> "In my opinion, the real blackleg is the cad who bolts with the stakes; the real coward is he who keeps out of the fight which he himself has provoked, and who, skulking either in London or in Paris, tries to hide his own poltroonery by impugning the courage of others."

He (Mr. Labouchere) was not concerned to defend Mr. Egan, but, unquestionably, those observations meant that Mr. Egan was a thief and a coward; and as the hon. Member for Mayo had answered in such very strong language the accusation which was made against him by Mr. Egan, he thought that the matter should now come to an end.

MR. BIGGAR might be allowed to make one or two observations on this occasion, as he was joint treasurer of the Land League with his friend Mr. Egan. He did not say that he approved of what Mr. Egan said in his letter, because he was not present when it was written; but, at the same time, he might say that he thought Members of Parliament would do well not to be so exceedingly sensitive as they were. He had seen many attacks upon Members of Parliament, and he had seen very few Members of Parliament rush into print to defend themselves. He had seen still fewer who came to that House and asked to be protected from charges which were brought against them by writers in newspapers. He would, therefore, be disposed to say that the Motion was simply a very carefully rehearsed artifice got up between the hon. Member for Galway and the hon. Member for Mayo, to attack in a covert, he would not say underhand way, his hon. Friend the Member for Cork City. That was the real animus which was at the bottom of the simulated innocence of the hon. Member for Mayo. The hon. Member for Mayo insinuated in his speech that certain Members of the Irish Party had asked him to use his influence to get situations from the Government; but when called upon for names, he produced a telegram from an obscure paid clerk of the Land League, asking him to use his influence to get a situation for an attorney who was paid to defend a few members of the Land League in a local Court, and who, probably, was himself a member of the Land League, or a subscriber to its principles. The hon. Member for Galway had, in his opinion, made a mistake in defending the conduct of the hon. Member for Mayo, which he did not think was that of a man of high honour.

MR. CALLAN said, before the House proceeded to a division, he wished to ask a question for his own guidance as well as that of the House. He saw in the valuable book upon the practice of this House, by Sir Erskine May, that the Member making the complaint must be prepared to name the printer and publisher of the paper in which the statement appeared. There was no allegation here that either the printer or publisher of *The Freeman* had any malice in publishing the letter; and in case it was declared a Breach of Privilege of the House—as it undoubtedly was—he wanted to know what was the course of procedure to be adopted? He thought when hon. Members who objected to the withdrawal of the Motion of the hon. Member for Galway were made aware that the result of their action would be to cause great inconvenience to the printer and publisher of the paper, who were the innocent parties in the transaction, they would probably allow the Motion to be withdrawn. He, therefore, wished to know what would be the result if the letter was declared a Breach of Privilege?

MR. SPEAKER: In the event of the Motion before the House being carried, it would be for the House to say what steps, if any, should be taken with regard to that Motion. The matter is one entirely for the determination of the House. Is it your pleasure that the Motion be withdrawn?

MR. PARNELL: No. [*Cries of* "Agreed!"] Am I entitled to address you upon this Question, Mr. Speaker?

MR. SPEAKER: The hon. Member has exhausted his right to speak.

LORD EDMOND FITZMAURICE: I wish to ask a question. If this Motion be adopted by the House, will not the House be obliged to take further steps in the matter?

MR. SPEAKER: In answer to the noble Lord, I have to say that it is a matter entirely for the determination of the House.

MR. HEALY: The hon. Member for Cork City has already spoken on the Question of Privilege; but the Question now before the House is that the Motion be withdrawn, and, therefore, I apprehend, he is entitled to speak upon that Question.

MR. SPEAKER: The Motion before the House is the same, and the hon. Member for Cork City, having spoken once, is not entitled to speak again.

Question put, and *agreed to.*

MR. PARNELL: I now wish to ask the hon. Member for Galway County what steps he proposes to take, having brought a Motion before the House declaring that the letter published in *The Freeman's Journal* of the 26th May is a breach of the Privileges of the House, and the House having adopted that Motion?

MR. MITCHELL HENRY: This Motion having been carried unanimously by the House, I must take ample time to consider.

MR. PARNELL: On a point of Order, Mr. Speaker, I wish to know whether, in the event of the hon. Member not taking advantage of this opportunity to ask the House to take further action in this matter, he will not lose his right to do so at any future time?

MR. A. M. SULLIVAN wished to know whether an opportunity was not going to be given to the hon. Member for the City of Cork to answer the questions which the Home Secretary had called upon him, as a gentleman, to answer?

MR. NEWDEGATE rose to speak.

MR. SPEAKER: I must point out to the House that there is no Question before the House at present. The hon. Member for the City of Cork asks me whether, in the event of the hon. Member for Galway not taking advantage of this opportunity to ask the House to take further action, he would not lose his right of precedence in the matter? I apprehend that if the matter is postponed now, and no action is taken upon it, he will lose his right to ask the House to do so at any future time.

MR. PARNELL: I will, with your permission, Mr. Speaker, now ask the hon. Member whether he intends to take any further action?

MR. MITCHELL HENRY did not reply.

MR. PARNELL: To put myself in Order, Mr. Speaker, I shall conclude with a Motion. Nobody can say that we have desired to hinder or impede the hon. Member for Galway County in bringing this question under the notice of the House, although I regret exceedingly that the hon. Member should have been guilty of an action almost unprecedented in this House, by bringing forward a question which concerns a gentleman outside this House, and which concerns other Gentlemen inside this House, when he knew perfectly well that the gentleman whom he was attacking could not necessarily have appealed in his own defence. But having proceeded so far, it shows the want of *bona fides* of his whole proceedings when he refuses to ask the House to take the steps which his Motion naturally points to. Now, I think I am entitled to ask the hon. Member to proceed with this matter. If he does not, he will show that this Motion has been brought forward, not for the purpose so much of vindicating the reputation of two or three Members of this House, as for the purpose of attacking an absent individual under circumstances which would prevent that individual from having the right to reply. I think it is almost the first time that a person not a Member of this House has been attacked in the House, and has not been allowed the opportunity of reply, and yet that is precisely what the hon. Member for the County Galway thinks fit to do. It is evident, from the conduct of the Treasury Bench, that the importance they attach to the Motion of the hon. Member for Galway was not so much from his assumed desire to vindicate the character of Members of this House, but that they might, by a one-sided blow, attack the Irish Land League. They have shown the importance they attach to the organization and Mr. Egan, its treasurer, by endeavouring to connect his action in writing that letter with the Irish Land League, of which he is the acknowledged treasurer. I will only say for myself that Mr. Egan wrote that letter without any previous consultation with me, and, so far as I know, without any previous consultation with any of the members of the Executive of the Irish Land League. I do not say this in order to admit that the letter was so heinous in its terms, or to judge the letter in any way, but merely as a matter of fact, which I am entitled to state, as the Land League has been assailed, when we are told that this letter, being written by Mr. Egan from Paris, is necessarily the action of the Land League. The first intimation I received of this letter was in seeing it in *The Freeman's Journal*, and there is not the slightest foundation for connecting this letter with the Irish Land League. I do not propose to criticize the letter, nor express any opinion on it in the slightest degree. I say I may have wished that the letter had not been written, or I may not have wished that it had not been written. But I do not propose here to go into a question which is a question between Irishmen, and not a question between Englishmen. I believe we shall always be able to settle our own disputes amongst ourselves; and I regret to see the hon. Member for Mayo occupying, for the first time in this House, what I conceive to be a humiliating position when he is appealing to the protection of Englishmen against his brother Irishmen. The tone of the speech of the hon. Member delivered on that occasion gave me very great pain, because I cannot help feeling that in the action which he took——

Mr. SPEAKER: I wish to point out to the hon. Member that the question lately debated has been concluded. He has now risen in his place, and said he will conclude with a Motion; but he is not entitled to allude to what has already taken place in the House on a former debate. I must call upon him to refrain from doing so.

Mr. PARNELL: I will not refer to the debate which has just concluded; but I will point out that by the course which the hon. Member for the County of Galway has taken in refusing to proceed with this matter to its legitimate conclusion, we are deprived of the only opportunity that could be afforded us to answer the untruthful and unfounded allegations of the right hon. Gentleman the Home Secretary. ["Order!"] The hon. Gentleman concluded by moving the adjournment of the House.

Sir PATRICK O'BRIEN: I rise to make one observation.

Mr. SPEAKER: If the hon. Member applied the term "untruthful" to any Member of this House, I must call upon him to withdraw it.

Mr. PARNELL raised his hat.

Mr. SPEAKER: I must call upon the hon. Member to withdraw, without hesitation, the expression which he has used.

Mr. PARNELL: I took off my hat to signify that I withdrew it.

Sir PATRICK O'BRIEN: I merely, Sir, rose to make one statement. I heard the hon. Member for Mayo during the whole of his long speech, and he did not in any sentence throw himself upon the protection of Englishmen.

Mr. SPEAKER: The hon. Member for the City of Cork has committed the irregular act of addressing the House without concluding with a Motion. [Mr. Parnell was understood to intimate that he had moved a Resolution.] I will now call upon the Clerk to read the Orders of the Day.

Mr. T. P. O'CONNOR said, that he had distinctly heard the hon. Member for the City of Cork move the adjournment of the House.

Mr. JUSTIN M'CARTHY said, he also distinctly heard the Motion made, and so did hon. Members near who were not of the Irish Party.

Mr. HEALY asked Mr. Speaker whether, it having been signified to him that the Motion was made, it should not now be put?

Mr. SPEAKER: I have called upon the Clerk to read the Orders of the Day.

Colonel ALEXANDER was bound to say, though he had no sympathy with the hon. Member for the City of Cork, that he distinctly heard him move the adjournment of the House.

Mr. SPEAKER: If that be so, with the indulgence of the House, I must recall the instructions I have given to the Clerk, and put the following Question:—"That this House do now adjourn."

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Parnell.*)

Mr. NEWDEGATE said, he was of opinion that the House should look for guidance to its Leaders. The position which the House had taken up was, it seemed to him, a difficult one, for it left the person inculpated by the Motion no opportunity of explaining or vindicating his conduct.

Mr. SPEAKER: I have already stated to the hon. Member for the City of Cork that he was not at liberty to debate a matter which had been already decided by the House, and I must make the same observation to the hon. Member for North Warwickshire.

Mr. HEALY said, the Irish Members had received some impressions from the debate which would not be lost upon them. They had often, full of a burning sense of the brutal and ruffianly arrests under the Coercion Act, come down to that House determined to have these things debated; but his hon. Friend the Member for the City of Cork had declined to be any party to the proceeding, on the ground that it would obstruct the Business of the Government. But what had they seen that night? When an hon. Member opposite rose to make an attack upon Irish Members, the Prime Minister not only had no word of censure for him, although the Land Law (Ireland) Bill was upon the Paper for discussion, but gave him a patient and sympathetic hearing. He hoped the hon. Member for the City of Cork, when next the Irish Members had grievances to ventilate, would remember how the Prime Minister countenanced attempts to bring Irish affairs into disrepute, and would avail himself of his right to move the adjournment whenever it suited him.

Mr. ARTHUR O'CONNOR said, he should support the Motion for Adjournment, because it seemed to him the House was placed in an unprecedented position, being asked to pass by without further notice a matter which it had expressly declared to be a Breach of Privilege.

Mr. GLADSTONE: Mr. Speaker, on former occasions attempts have been made to prosecute Breaches of Privilege, which attempts have subsequently been found likely to lead to inconvenience; and the House has, on the whole, thought it prudent to retrace its steps. I apprehend we are perfectly free—indeed, we have it on your authority—to act at this present moment according to prudence. We had to pass an opinion on a document. We have not entered on the question of the excuses the writer of that document may have to produce. The writer has the option, if he thinks fit, of vindicating himself before the public. We were entitled to pass an opinion on the document before us. It cannot be surprising that I, who urged upon the hon. Member for Galway County not to proceed with the Motion which he desired to withdraw, but was prevented from withdrawing, should respectfully recommend to the House that we should not proceed any further, as we distinctly understand that there is no technical and formal obligation, and certainly no moral obligation whatever to that effect. The hon. Member for Wexford. (Mr. Healy) says that I, who am continually urging the necessity of proceeding with the Land Law (Ireland) Bill, gave, not only a patient and careful, but sympathetic hearing to the Motion of the hon. Member for Galway. Now, I am bound to say I did not give it a sympathetic hearing at all. After I heard the discussion upon it, I thought matter of great importance was raised in that discussion which I was compelled to notice; but I must own that the feeling with which I heard my hon. Friend rise to make this Motion was the feeling which in my mind is invariable when I see that some of the few precious hours that we have at our disposal are about to be wasted, and that I regretted the subject was ever introduced.

Mr. T. P. O'CONNOR said, he hoped the hon. Member for Galway would accept the rebuke which the Prime Minister had just given him for having caused the waste of two hours and a-half which might have been devoted to the Land Law (Ireland) Bill. He wished now to appeal to the right hon. Gentleman to state what opportunity he proposed to give the Irish Members of discussing the Vote of Censure upon Ministers which they had placed upon the Journals of the House, and the 10,000 or 15,000 impending evictions, which were a far more serious matter than the dispute between the hon. Member for Mayo and Mr. Egan. Would the right hon. Gentleman give such an opportunity? The right hon. Gentleman made no sign, and it was now his duty to tell him that the Irish Members would make the opportunity they desired. As for the subject of that evening's debate, the Irish people would form their own estimate of a Government which, under cover of a defence of the hon. Member for Mayo, permitted a most dangerous attack to be made upon the hon. Member for Cork and the Land League. The Home Secretary, in particular, seemed to take pleasure in baiting the hon. Member for Cork, so as to make him use expressions which might be turned against him. It was most unfair to take advantage of a personal quarrel between individuals to vilify the Land League. Why, it might be asked, did not hon. Members connected with the Land League join in that discussion? The reason was that they did not wish to wash dirty linen in public, and that they were aware nothing could be more gratifying to the House than the ignoble spectacle of Irishmen quarrelling among themselves. He would recommend the hon. Member for Galway, who was so solicitous of the honour of Irish Members, to go to Galway and hear what his constituents had to say to him instead of setting such store upon the opinion of a prejudiced English House of Commons. With regard to this letter, the form of it was very inelegant, nor was that of the hon. Member for Mayo much better.

MR. SPEAKER: The hon. Member is adverting to a debate which is concluded. He is not at liberty to do that.

MR. T. P. O'CONNOR: I was not adverting to that, but to a letter which I wish to bring before this House. The hon. Member has used the expression "these white-livered filibusters of the tongue have no fight in them."

MR. O'CONNOR POWER: Hear, hear!

MR. T. P. O'CONNOR: The hon. Member approves of that language. He may be a high judge of literary style; but if, having used that language, he comes here *in formâ pauperis*——

MR. O'CONNOR POWER: That is not true. I deny it. You heard the opening sentence of my speech in which I disclaimed any appeal to the House.

MR. CALLAN: The hon. Member for Mayo has applied the expression "That is not true" to what was said by the hon. Member for Galway, and I rise to call your attention to that observation.

MR. HEALY: I understand that the words "That is not true" are not unusual, and I can bear testimony to your having already permitted that expression to be used. It is not two months ago that the Chief Secretary to the Lord Lieutenant used it.

MR. SPEAKER: These interruptions on points of Order are very often themselves disorderly. If I had heard any such expression coming from the lips of the hon. Member when he was addressing the House I should have interposed.

MR. CALLAN said, the words were not used by the hon. Member who was addressing the House, but by the hon. Member for Mayo, and were heard by a number of hon. Members sitting near.

MR. SPEAKER: If any hon. Member made an observation of that kind it was a very disorderly proceeding.

MR. T. P. O'CONNOR said, the hon. Member had asked him distinctly to state the truth, and that he most certainly intended to do. The hon. Member had been accused, he would not say where, of a breach of Party loyalty, and the hon. Member had been guilty of want of Party loyalty, because the hon. Member had no right to go into a Party and not abide by the decision of the majority of the Party. Attempts had been made to damage the Land League through the quarrel between the hon. Member for Mayo and Mr. Patrick Egan. That matter, however, had nothing to do with the Land League. He had watched with great interest the proceedings of the right hon. Gentleman the Home Secretary, because the right hon. Gentleman was a master of Party tactics, and he could have told exactly what the right hon. Gentleman would have said.

MR. SPEAKER said, the hon. Member was alluding to a former debate, and he must caution him that he was out of Order.

MR. T. P. O'CONNOR apologized, and said, it was not easy to keep within the four corners of a Motion for the adjournment of a debate when he wanted to get outside them. He thought that it would give the Home Secretary a capital opportunity for backing up the Irish Executive in suppressing the Land League when an Irish Member got up and complained of the terrorism exercised over him.

Mr. A. M. SULLIVAN said, he thought they might well seize hold of this tranquil moment to proceed to the Land Law (Ireland) Bill. Somehow or other, something was at most sure to happen every night to mar the harmony with which some of them would like to discuss that Bill. They had now, perhaps, wasted sufficient time, and might think a little of the condition of Ireland.

Motion, by leave, *withdrawn.*

## *ORDERS OF THE DAY.*

LAND LAW (IRELAND) BILL.—[Bill 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [THIRD NIGHT.]

[*Progress 27th May.*]

Bill *considered* in Committee.

(In the Committee.)

### Part I.

### Ordinary Conditions of Tenancies.

Clause 1 (Sale of tenancies).

Mr. H. R. BRAND said, the object of the Amendment he was about to move was to give a chance to future generations in Ireland of adopting a better and sounder system of land tenure. In using this phrase of the Secretary of State for India, he should, had the noble Lord been in his place, have made an appeal to him to support this Amendment, because, after carefully considering the Bill, he had not been able to discover that it contained any provision for the future of the kind indicated. He had frequently noticed that when Amendments to Government measures were moved by hon. Members sitting on those Benches, they were objected to, on the ground that they were at variance with the principle of the Bill, and would be fatal to it. Hon. Members, therefore, who moved such Amendments were exposed to a certain amount of odium. But it would be found that his proposal was not contrary to the principles of the Bill. He contended that it was consonant with them, and with the opinions of Ministers; and he would say that had it been in his view contrary to the principles of the Bill, that Amendment would not have been proposed by him. Even at that time, if the right hon. and learned Gentleman the Attorney General for Ireland could show him that the Amendment was contrary to the principles of the Bill, he should not be inclined to press it; because he had stated, on the second reading, his anxiety that the Bill should become law, and he had certainly no desire now to prevent it. There was, however, a verbal inaccuracy in the Amendment, as it stood on the Paper, which would have to be corrected. The Amendment on the Paper read thus—"Leave out 'for the time being of every,' and insert 'of every present tenancy.'" It ought to have been, first—"Leave out 'for the time being;' and, second, insert after 'every' the word 'present.'" The clause, if the alterations were adopted, would then read as follows:—"The tenant of every present tenancy to which this Act applies may sell, &c." He thought he could show that there was a radical distinction between existing tenancies and tenancies which would be created afresh. To the present tenant there attached a certain claim in respect of the improvements which he might have effected, and sometimes for the reclamation of waste land and bogs. But no claim of that kind could possibly attach to a tenant who came in after the termination of a present tenancy. He would have had no connection with the land previously, and could have no claim of any kind except that which existed by reason of his contract of tenure. The claim which attached to present tenancies, he believed, had been generally admitted; and although he would not then discuss the character of the tenant's interest, there was no doubt that the Act of 1870 did create in the tenancies outside Ulster a greater value than existed prior to the passing of that Act; and, that being the case, the present Bill endeavoured to establish this right on a firm basis, and, with the view of establishing it, gave the tenants of Ireland the power to sell their tenancies at the best price they could get for them. Whoever drafted this Bill must have been a most astute and intelligent person, for he found, on account of the order in which it was arranged, it was impossible to criticize with advantage that portion of it which related to free sale. It was clear that the clause relating to free sale was bound up with Clause 7. Looking from the point of view of the tenant's interest, he saw very great objections to the principle of free sale; but, as the tenants had asked for that power, they would get it. But from the point of view of the owner's interest, he saw no insuperable objection to the principle of free sale, so long as the owner had access to the Court, and care was taken that the rent should not be estimated with reference to the price paid for that portion of the tenant right which was exclusive of the value of the tenant's improvements. But how could one know what might become of Clause 7? If he were quite certain that the Government would take care that the competition value for mere possession of the farm should not be considered by the Court in determining the rent, then from the point of view of the interest of the landlord, he should not care what a man gave for the farm when he came in. The right of sale, under the provisions of this section, was given by direct enactment, because it was denied that any such thing existed as freedom of contract between owner and occupier in Ireland. He wished to point out that this inequality would be greatly redressed by the purchase clauses of the Bill; and, as far as he was concerned, he should vote for any reasonable extension of those clauses, because he was strongly in favour of increasing the number of farmer proprietors in Ireland. Hon. Members opposite must feel, as well as he did, that no success would attend the creation of a numerous peasant proprietary; and that, in order to insure success, the farms must be of a certain size. He did not think any man could get on as a farmer with less than 20 acres of land. Notwithstanding this view, he hoped to receive some support from hon. Members who followed the hon. Member for the City of Cork (Mr. Parnell), because they must know very well that the new owners would meet with great disadvantages from the operation of this clause. Some of them, for instance, after coming into possession of their holdings, might have occasion, through illness or some other reason, to let their holdings; but if the Bill remained as it now stood, they would not be able to do so without creating in the lessee a joint proprietary interest with themselves. Having admitted the right of the present tenant to an interest in the farm, it followed that the present tenant had an interest which he ought to be able to sell. Was the same claim to be vested in the future tenant? Surely it would be acknowledged that land which was free and unincumbered with tenant right was in a different position from land which was subject to claims in respect of tenant right; and, therefore, he had to ask three questions. What was the claim of the present tenant? How long would the present tenancies exist? And what was the nature and character of the claim of the future tenant—that was to say, of the man who came in after the determination of the present tenancy? Now, the claim of the present tenant was avowedly based on the fact that he had increased and, in some cases, created the productiveness of the soil, and that in some cases he and his predecessors in title had continuously resided on the land. That being the claim of the present tenant, how long would such tenancies exist? Turning to the 45th clause of the Bill, which was a very peculiar one, he found these words—

> "A tenancy to which this Act applies shall be deemed to have determined whenever it is sold in consequence of a breach by the tenant of a statutory condition, or, in the case of a tenancy not subject to statutory conditions, of an act or default on the part of a tenant which would, in a tenancy subject to such conditions, have constituted a breach thereof."

Supposing, therefore, a tenant had committed a breach of any statutory condition—for instance, supposing he had not paid his rent, and upon notice given by the landlord he elected to sell his tenancy—the tenancy would thus be determined. He had a question to ask upon that point. If the tenant sold to a third party after breach of statutory condition, would he sell a tenancy of a less value than that which he himself possessed? In his opinion, a breach of statutory condition ought not to occasion a determination of the tenancy. If this were the case, present tenancies might exist for a very long period of time, seeing that the holders of such tenancies had a right to devise or alienate them, and his Amendment would only effect tenancies upon which the tenant right had become merged in the fee simple. What, then, would be the position of the future tenant? He would have no claim in respect of labour, because he had never put a spade into the ground, and he would have no claim for improvements, because he had not made any; and yet, according to the Bill, the very day he came in he could sell his interest. But what was it that he could sell? Then, if the landlord let at a low rent, he would secure himself in that case by exacting a heavy premium, and the tenant would be rack-rented. It was evident that, whatever they might do by Act of Parliament, they could not in future prevent the owner from getting his full value for the hire of his land, and they could not prevent the tenant having to pay the equivalent of the full commercial value of the land. That state of things, which the Bill would perpetuate, could hardly be good for Ireland. He put it to the hon. Member for the City of Cork whether tenants who purchased their interest from the landlord would like the operation of this clause? He regretted the Prime Minister was not in his place, because he wished to quote the words of the right hon. Gentleman for the purpose of strengthening his argument. The right hon. Gentleman, in speaking against perpetuity of tenure—and the words applied to the necessity which would exist for every future tenant in Ireland having to pay a premium on coming in—said—

> "If I am only to let it to a perpetuity man, I can only let it to that class of men who are prepared to cultivate the soil and to pay me the price of the permanent possession. The strange position in which we should then find ourselves would be that all that active and energetic class which does not require any permanent estate in the land, but exists by the intelligent and profitable application of capital to farming purposes, would be absolutely proscribed. You would not anywhere let a man in to put a spade or a plough into the ground unless he was able to purchase the perpetual estate."

Such, then, was the position in which he maintained Ireland would find herself by the operation of this Bill, not for a short period, but in perpetuity. There were only two objections against his proposal. One was, that it would establish two classes of tenants in Ireland; and the other, that there would be a grievance felt by one class because it did not enjoy the same advantages as were possessed by the other. To this he answered—first, that under this Bill there would be present tenants enjoying the right of going into Court to have their rent fixed; and secondly, that the other tenants who would not have that right would come in under contract. The second objection was, that as all tenants holding under leases would become future tenants, if the Amendment were carried they would be excluded from the operation of the Bill. To this, he replied that there were strong arguments in favour of leases being included within the provisions of the Bill; and for his own part he would like to see the Commission have power to apply the measure to such leases as they might think desirable. He hoped he had now sufficiently explained the Amendment he had to propose. His object was to raise the question whether there should be a permanent restriction upon agricultural industry in Ireland, or whether an opportunity should be given to the industrious and thrifty labourer to take a farm without having to pay a heavy price for the goodwill. Let the Bill pass in its present form, and the labourer's back would be broken by the necessity of obtaining capital for the payment of the premium for going into occupation. In conclusion, he appealed to those hon. Members who did not wish to see industry hampered, nor to perpetuate a system which would have the effect of rack-renting every future tenant in Ireland, to vote for the Amendment which he now begged to move.

Amendment proposed, in page 1, line 7, to leave out the words "for the time being," and insert after "every" the word "present."—(*Mr. H. R. Brand.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, that the hon. Member for Stroud (Mr. H. R. Brand) wished to facilitate the acquisition of farms by persons who had not at present got any. Now, with respect to lands in Ireland, they were either in the hands of present tenants or in the hands of the landlords; and it must, of course, be admitted that there was no possibility of unprovided farmers getting hold of lands in the possession of the present tenants without buying them. If, then, the future tenant paid for his farm, he presumed he must be allowed to sell it. The farms that were in the hands of the landlords were open to the entire population of the country who had not got farms, but wanted them, and the landlords, he supposed, would charge a full rent. He did not like rack-renting. The practice was, indeed, grossly unjust as applied to occupying tenants, who had already an interest in their farms; but the case of persons who had not got farms raised wholly different considerations. From the statements which had been made, one would suppose that the moment an incoming tenant got possession he would want to sell. But that was an entire fallacy, for the very last thing which any Irish tenant, present or future, would think of doing when he got possession of a farm was to sell it. He bought it because he wanted to invest his capital in it, and because it offered the most profitable way of using the labour of his family. Putting aside the difficulty which lay in the way of his hon. Friend the Member for Stroud (Mr. Brand) of providing money for those persons who wanted farms which were now in the possession of others, and must be paid for, he pointed out that where a landlord bought up the tenancy, and re-let the farm, the new tenant would have to pay, he presumed, fair value for it, either in the shape of a full rent, or, if less than a full rent was charged, by payment of a fine to the landlord. In the latter case, at all events, it would, he thought, be obvious that such future tenant, getting his farm at a low rent by payment of a fine to the landlord, should be allowed to sell his tenant right. It would be grossly unjust to prevent his doing so. Another class of cases might arise—a present tenant might be unable to pay his rent, and be forced to sell by threatened eviction. That class of cases was regulated by Clause 45, under which a present tenancy, thus compulsorily sold, would become a future tenancy. But here, again, after the forced sale and purchase of the tenancy by a person who thereupon became a future tenant, it would be plainly inequitable—nay, he might say dishonest—to preclude such a future tenant from selling the tenancy he had thus been tempted to buy. But there were other, and, as it seemed to him, powerful reasons against this exclusion of future tenants. What was wanted in Ireland was that the land should be improved—better drained, better cultivated—and that there should be better farm-buildings and cottages. By what process, then, was this duty to be performed? There were about 500,000 small tenancies spread over Ireland, and it was plain that the necessities of the case forbade the landlords making the desired improvements. Then the tenants must have the security afforded by the Bill, or they would not do it either. For every reason, he thought it would be exceedingly impolitic to deprive the future tenant of the power of sale. To enact this would do no good to anyone; but it would cause a vast amount of mischief, not only by discouraging improvements, but also by creating discontent and renewed agitation on the part of the constantly-increasing class of future tenants. Her Majesty's Government did not expect the Act would operate for all time; but they hoped it would have some durability. If they were to leave every tenant who came into a holding after the Bill passed without the security afforded by the provisions for sale of his tenancy, in 10 or 20 years' time there would, as a matter of course, be fresh clamour on the part of those future tenants when they saw that the value of their holdings, with their improvements, was left practically unprotected. Her Majesty's Government felt they would not be justified in accepting an Amendment which would deprive future tenants of the right of sale conferred by the Bill, and leave them, in consequence, without the inducement necessary for the improvement and proper cultivation of the soil.

MR. H. R. BRAND asked, whether, if a present tenant sold to a future tenant, the landlord would be able to raise the rent immediately upon the purchaser entering?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the 3rd clause dealt with the raising of the rent on a future tenancy at any time after the initial rent had been fixed.

MR. GREGORY said, the Amendment of the hon. Member for Stroud raised an issue of very great importance, and one which had to a considerable extent been acknowledged by the Attorney General for Ireland. It was, whether this Bill did or did not confer perpetuity of tenure? Or, in other words, as the question was raised by the hon. Member for Stroud, "was this right of sale to be conferred on existing tenants alone, or was it to be conferred on the successors of those existing tenants?" He perfectly admitted that the present tenant should have the right of sale.

Mr. H. R. BRAND said, the hon. Member had not exactly understood his Amendment, which limited the right of free sale to the present tenants and their descendants, so that it should not extend to future tenants succeeding them.

Mr. GREGORY admitted that the present tenant should have the right to sell; but he wanted to ascertain the effect of this on future tenants. In fact, who were future tenants? Were they to exercise the same rights which were conferred by this Bill on present tenants? As he understood the Bill, the present tenant had the right to go to the Court and obtain a lease at a fixed rent for 15 years, and that the power of selling was conferred on his successors. Was the Court to carry on the title to his successors? If that were so, he apprehended that the Bill gave perpetuity of tenure. Did the Government mean to confer this? Because, if they did, that perpetuity of tenure would be at once stopped by the Amendment. Before the Committee proceeded further, he thought this point should receive a satisfactory explanation.

Major O'BEIRNE said, he was connected with several properties where the right of sale existed, and it had been found to be thoroughly beneficial, both to the landlords and the tenants, whenever it had been exercised. As to the objection that the farmer paid such a high price for his tenant right that it allowed him to realize no profit from the holding, that was a pure delusion. Seeing that free sale of tenant right was established by the Bill, he thought the Government were bound to buy up the estates of those persons who bought them in the Irish Estates Courts since 1870. There was another question upon which he wished to have an explanation —namely, with regard to the statutory term of 15 years for the letting of land. If a landlord put a tenant into a farm for a time, was it compulsory upon him to make the term 15 years? If he could not put any tenant into a farm under statutory conditions for less than 15 years, what would the landlord have to do who wished to let his land for three or four years only? No landlord would be content to take a tenant whom he only wanted for a few years if he was to be compelled to buy him out afterwards. It would, therefore, be a great objection to the Bill if it were found that no landlord would be allowed to let his land for less than 15 years. A landlord ought to be allowed to let his land for any period that suited him, whether it was three, six, 10, or 15 years. If the Irish people had the management of their own land tomorrow, they would not tolerate a restriction such as this, and it would certainly not be tolerated in any other country in Europe. In every country where a proprietor had his own land under his own management, and desired to lease it, he only let it for a period which suited his own convenience. Under these circumstances, he thought that that part of the Bill which required a landlord to let his land for no less a period than 15 years was unsatisfactory, and should be amended.

Mr. PELL understood the questions raised to be these. What would happen in the case of a tenant possessing himself of a freehold, and becoming the sole possessor of the land? And what would happen where the landlord had possessed himself of the right of occupation, and had all the interest of the farm? He understood that the hon. Member for Stroud (Mr. Brand) wished to obtain an answer from the Law Officers of the Crown upon these points. He (Mr. Pell) wished to know if it would be possible, in the event of the landlord leasing land, after having become possessed of the tenant right—in such a case as the case of pastoral land turned into arable land, and in the event of the landlord wishing to put in a new tenant, and the new tenant going out in the course of a few years—would it be possible to make any demand upon the landlord for the rights of the tenant on giving up the farm? In point of fact, what would such a tenant have to sell? What he wished to get at was this. Of course, the tenant would be compensated for any improvements he had himself made, however short a time he might have been upon the holding; but would he be entitled to compensation for disturbance in respect of having been the tenant of the land for a period of, say, one or two years? How would he differ, or in what different position would he be, from the tenant who had bought the right of occupancy from the tenant who preceded him, and had not taken the tenancy direct from the landlord?

Lord EDMOND FITZMAURICE was glad that the hon. Member for South Leicestershire (Mr. Pell) had quite understood the Amendment of the hon. Member for Stroud (Mr. Brand). He said that, because he did not think his hon. Friend the Member for East Sussex (Mr. Gregory), who preceded him, had quite seen the object of the Amendment. The object of the Amendment moved by his hon. Friend was to ascertain more clearly what was to be the position of the future tenant—how the future tenancy was to be formed under the Bill. A future tenancy might arise, as the Attorney General for Ireland had pointed out, when the tenant right had been merged in the purchase on the part of the landlord; or it might arise immediately after the passing of the Bill, in the case of land itself at this moment in the hands of the landlord. There was a third way in which it might arise practically under Clause 45, when a tenancy was determined in the manner mentioned in that clause. Now, he would put aside for a moment the case of Clause 45, because that clause was a most difficult and intricate one, and it seemed to him that it would have to be considered, on the whole, on its own merits. It was a very large question, indeed, as to how far it was desirable or right that a tenancy should be held to have actually, altogether, and entirely determined by the acts of the tenant there mentioned. This was a concession which he made, without pledging himself to any private opinion, to certain hon. Members on that side of the House, whose views were strong on the side of the tenant. He preferred at this moment, however, not to take the case of Clause 45, but rather to fall back upon the two cases which occurred more immediately—the case of land unlet at this moment; and the case of such parts of the landlord's demense as were on his hands at this moment, and where the landlord had exercised his right of pre-emption under the Bill. His hon. Friend the Member for Stroud (Mr. Brand) wanted to ascertain what would be the legal position of the future tenant in the other two cases—that was to say, whether he could in any sense be considered the representative of any goodwill he had purchased, or of any improvements that might have passed to him. It was argued that there was no privity between him and any other tenant, and, therefore, that he could have no claim in respect of the goodwill and improvements. Then, how could it be argued that he was endowed with the right of free sale, which, undoubtedly, had at its root and its origin a connection between these two circumstances—namely, improvements made by the tenant, coupled with that traditional feeling about the occupation of land which in England was called goodwill, and in Ulster was known by the name of tenant right? The Attorney General for Ireland said that in that case the landlord would charge an initial rent up to the full competition or rack rent value of the land; and, further, that the tenant would have nothing whatever to sell. His (Lord Edmond Fitzmaurice's) own impression was, that if the Attorney General for Ireland and the future tenant could be closeted together now, and the imaginary future tenant were told this, he would be very much astonished and would strongly demur to the position taken by the Attorney General for Ireland. But that was not all. The right hon. and learned Gentleman went on to argue that if, in the exercise of his right, the tenant executed improvements which he would have the right to sell; and then he said—by implication, although not in actual words—that the goodwill or tenant right which existed in the present tenant would, with the fluxion of time, revive in the future tenant, and that that interest of the future tenant would be inadequately protected by compensation for disturbance under the Land Act of 1870. He assumed that the argument of the Attorney General for Ireland was good; but he wished to point out that it took the right hon. and learned Gentleman a great deal farther, because if it was good that the whole of the tenant right would be actually revived in the future tenant, then in that case he was bound to give to the landlord that protection of the intervention of the Court which the House had been expressly told by the right hon. and learned Gentleman on a previous occasion was the protection of the landlord against the tenant right eating out the rent. There would be tenant right forming and growing, and therefore they were bound to give the landlord protection against that tenant right gradually eating out his rent. Consequently, if the argument of the Attorney General for Ireland was good, it was good for a great deal more than the right hon. and learned Gentleman was willing to grant. It was an argument, not against the Amendment of the hon. Member for Stroud, but in favour of including future tenancies in Clause 7 of the Bill. In the debate on the second reading, he (Lord Edmond Fitzmaurice) had pointed out that the Government were caught between two stools. The conclusions arrived at by Lord Bessborough's Commission were perfectly logical. They were in favour of extending the protection of the Court, and giving free sale and fixity of tenure to future tenancies. The Report of the O'Conor Don was also coherent and logical, when he said that it was only fair the present tenant should have his rights protected. But the O'Conor Don argued that the future tenant was not in the same position, and therefore he put the future tenant on one side of the line and the present tenant on the other. But the Government did neither the one thing nor the other. They had invented a class of future tenants, and had given them some of the privileges of the Bill but not all, and had placed the landlord in reality in a worse position as against the future tenants than in regard to present tenants. He was aware that in one sense these arguments, whether on one side or the other, were not of very great importance, because the number of future tenants, for a considerable time, would be very small. He was perfectly convinced, for the reasons he had given on the second reading of the Bill, that it would be a very long time indeed before there were future tenants. They would probably have to pass several more Land Bills; and, no doubt, this question would be swallowed up in the general vortex of the Land Question. But he was discussing the Bill in the presumption that it was going to be a permanent settlement of the question; and, in that light, he must say that he thought the arguments of his hon. Friend had not been adequately analyzed, and that the present Bill either went too far or not far enough.

Mr. O'SULLIVAN was sorry to find such an Amendment coming from the other side of the House. He could understand it if it came from that (the Opposition) side, because he thought if t were passed it would be fatal to the Bill. If they were to allow this power to be only given to the present tenant, as proposed by the Amendment, it would destroy all the benefit which the people of Ireland expected to get in the future from this legislation. The Amendment said quite plainly that the Bill should apply only to present tenancies; whereas, as he understood the Bill, it was to apply to every tenant. Consequently, if the Amendment were accepted, it would destroy the usefulness of the Bill in one of its main principles; and all the Government could say under the circumstances was—"Save me from my friends!" He was somewhat astonished to find that the Amendment which most vitally affected the principles of the Bill came from the other side of the House. Those who were in earnest in wishing to settle the Land Question would, undoubtedly, oppose the Amendment, and support the Bill.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) thought it desirable that the House should be perfectly clear as to what the object of the Amendment was. There was no doubt that without this Amendment the 1st clause of the Bill would apply to present and future tenants. The object of the Amendment, therefore, was to strike out from the 1st clause the Proviso as to future tenancies, and to restrict it to present tenancies. Now, the questions that were asked in reference to this proposal were these. "Suppose," said the hon. Member for Stroud (Mr. Brand) and the noble Lord the Member for Calne (Lord Edmond Fitzmaurice)—"suppose land is in the landowners' hands"—for that was the way it was understood in Ireland—"suppose land is in hand, either through not having been let by the owner, or by the owner having purchased from the tenant the interest of the tenant in that land. What is the position of that owner letting such land after this Bill passes and so creating a future tenancy; and what is the position of the future tenant?" There was an old proverb, which he believed to be a correct one, and one that prevailed pretty much throughout the transactions of life—namely, that "the proof of the pudding was in the eating." Accordingly, these questions might be solved by reference to facts. He would take a case, which was not an imaginery one, but one that really existed; because he thought that hypothetical cases and imaginery arguments did not tend very much to advance the practical question. He would take as an illustration the case in Ulster of a landlord who had bought up the interest of his tenant, and thus had the land in hand to let. He found in the evidence taken by the Bessborough Commission, at Question 4,461, in the evidence of a gentleman named McIlroy, an auctioneer largely connected with land transactions in the North of Ireland, a statement made as to what would be the effect there in such a state of things—

> "Do you mean to say," asked Mr. Kavanagh, "that if the fee simple and the tenant right were put up together, that the price obtained would give 64 years' purchase for the two?"

The answer was—

> "The question is a peculiar one, because the two interests are never put up together."

In answer to Question 4,462, he says—

> "I remember one case, but it is not exactly parallel. The landlord had bought the tenant right of a farm. I sold the tenant right of that farm on behalf of that landlord, and I sold it at a very high rate of purchase—I believe 20 or 24 years' purchase. He had the fee simple remaining still, and it would have brought its own price; the tenant right brought its own price, and if the fee simple had been sold it would have brought its own price too."

Therefore, in a case where the landlord bought up the tenant right, and kept the land "in hand," he could, after this Bill passed, adopt one of two courses. Having the land discharged of all obligations to any tenant, he could, as to a future tenant, put a full rent upon it; or, if he preferred it—and he probably would—he could take a fine, or what is virtually the same thing, sell the tenant right to the incoming tenant, and keep the rent of his farm on a level with the rents in the district. He could do exactly what the landlord did in the case Mr. McIlroy spoke of, and take a fine from the tenant equivalent to the tenant right he had paid for, and let the land at a low rent. It amounted to precisely the same thing. Such, then, would be the position and power of a landlord, who, after this Bill passed, let land in his own hands to a future tenant. The hon. Member for Stroud and the noble Lord the Member for Calne then said—"Suppose the tenant was to leave the farm next year, is he still to have the right to sell?" Certainly he was; and over and above this fine, if he had paid one, if he had made any improvements in the farm, and had done his best to improve the condition of it—his right of occupancy, his goodwill in his holding, would have a saleable value more or less. He might repeat one observation which had already been made, that the last thing in the world an Irish tenant would do was to leave his farm as long as he could hold by it, and, so far from taking a farm and desiring to sell it the next day, he would be far more likely to look out for additional land; but if he did want to sell, he had a saleable goodwill commanding a money value. The more a farm was capable of improvement, the greater the value to which the tenant's goodwill or tenant right might be increased, so that the tenant who bought the goodwill of a farm had a direct interest in increasing its value, and bought with that object. He had already referred to a case which occurred in the North of Ireland; he would now mention one which occurred not far from his own home in the Province of Munster, where it was said, but said inaccurately, that no tenant right, and nothing equivalent to tenant right, existed. In Munster, just as in every other part of Ireland, the tenant on taking a farm took the power of improving it and increasing the value of his occupation right in it; and if he remained there one year or 100 years it was only a question of degree what was the value of his right of occupation in the goodwill of his farm, and that depended on its condition and the improvements he effected upon it. In the Barony of Duhallow there was a farm the valuation of which was £54 a-year. Hon. Members would be aware that, in the opinion of the Commissioners, Griffith's valuation might be taken all round at 33 per cent below the fair letting value of a farm. ["No, no!"] An hon. Member said "No, no!" and he took it for granted that he had not read the Evidence of Mr. Ball Greene, the Commissioner of Valuation. He (the Solicitor General for Ireland) had read that Evidence, and he would rather trust to the Commissioner, who was a gentleman of experience, than to the denial of the hon. Member. This farm, valued at £54, was let at £80, which was a fair and reasonable letting rent. The proprietor was satisfied with it, and the trustees who succeeded to the management of the estate, after the death of the proprietor, were also satisfied with it. Yet could the Committee imagine for a moment what the interest was which the tenant had made in that farm? The man who held it sold his interest in it for £500.

They would find the case mentioned in the evidence of Mr. Jeremiah Hegarty, at page 531 of the Report of the Richmond Commission. He was asked—

> "What did you give the £500 for?—For the interest in the land; for the goodwill of the outgoing tenant. I suppose when you gave £500 for this farm, you thought you were buying what was worth the money?"

The answer was—

> "I looked upon it in that way. Then I should like to know how you made the calculation?—I made the calculation that the land was capable of being vastly improved; I made a calculation of what it would be able to produce when I bought it, and what the interest upon the money would be in its present condition, and in an improved condition, after the expenditure of a considerable sum of money. There were no buildings upon it when I took it, and I expended £500 or £600 on buildings. If you were able to expend all that amount of money—£500 in purchasing the farm, and £500 or £600 on buildings—was not the rent of £80 a-year a low rent?—It was a fair tenantable rent. The valuation was only £54."

The Committee had there pretty good evidence as to what a tenant in Munster coming in and buying the goodwill in a farm could do. He could make a farm worth only £80 a-year rent worth his while to pay £500 for the tenant right of it, and to spend £600 in improving it—making about £1,100 in all. Of course, the tenant made the property more valuable for everyone interested in it; and what reason could there be for not selling the goodwill of a farm to a man who would make it fructify for the benefit both of himself and of the landlord? [Colonel MAKINS: What was the acreage?] He apprehended that was wholly beside the question; the value of a thing was what it would bring. It was perfectly immaterial what the acreage was. The question was, what was its value? Perhaps some hon. Members were not aware that there were mountains in Ireland which would not bring 2*d.* an acre as rent, and yet might be, and had been, made good land by tenants' labour and expenditure. It was not a question of acreage at all, but a question of value. Well, then, when land in the owner's hands was let after this Bill was passed to a future tenant, what possible objection could in reason be made to his selling at any time his goodwill, or tenant right, or right of occupation, whatever you chose to call it, and which it was the interest of the tenant, or of the purchaser from the tenant, daily to make more valuable by improving the farm? The next question put by the hon. Member for Stroud and the noble Lord the Member for Calne was, what would be the position of a tenant under Section 45 of the Bill? He would be a "future tenant." A present tenancy might be determined and turned into a future tenancy, but it might continue. There were instances, he believed, particularly in the county of Gloucester, of farms being occupied by the same family for 300 or 400 years without any lease at all — merely yearly tenancies. Why should not the same thing exist in Ireland? A "present tenancy," no matter into whose hands the tenancy went, so long as it existed, and was continued by transmission, was, and it would have, all the advantages of a present tenancy. The future tenants would be persons who, if the present tenancy was broken, would come in, and their condition would be similar to such cases as he had already mentioned of farms held "in hand." A future tenant, roughly speaking in a word, would have all the advantages and privileges of the present tenant, with the sole exception, as the Bill now stood, that he could not go to the Court to get a fair rent fixed under the 7th Section of the Bill. He believed he had now fairly answered all the questions that had been put.

MR. PLUNKET said, he was disposed to support the Amendment. The hon. Member (Mr. Brand) proposed to exclude future tenancies from the operation of the clause, and for very good reasons. As he (Mr. Plunket) understood the effect of the clause, it would be almost impossible for any landlord to get quit of the saleable tenant's interest in his property. Of course, to hon. Gentleman who were in favour of enforcing the landlords of Ireland to keep land in their own hands, or to part with it altogether, or to take upon their property tenants who would always be able to sell their interest for the best price they could get, the Amendment would be a very bad one. They were only to incur and encourage this peculiar provision of land tenure in Ireland under great and pressing necessity, and for temporary purposes. He could foresee the temptation to the landlords to charge as high rents as possible. He could not understand the ground upon which the right of free sale was to be extended to future tenancies; but he saw considerable practical inconvenience in doing so.

MR. GLADSTONE said, it was well the Committee should be aware of the importance the Government attached to this Amendment. The Bill had been introduced with the intention of asking the Committee to consider with care all fair Amendments, but not to admit any new Amendment which would give the measure a new character. He could not say too explicitly that in their view the admission of the present Amendment would give a new character to the Bill. They could not, under any circumstances, be parties to depriving any future tenancies of the right of free sale. That, he begged, might be understood as clearly as possible, because the Government considered that if, on the one hand, they declined to accept the large mass of Amendments essentially altering the Bill in the sense of extending and enlarging its provisions, they were, at least, bound by every consideration of honesty and principle to resist Amendments which would go to narrow the Bill, and that was the principle upon which they meant to act. There were three great changes introduced into the law by this Bill. One was that they abolished virtually, and they would be prepared to abolish directly, the limitation which the Land Act imposed upon the right of assignment. The right of assignment being established, that assignment was the tenant right, which tenant right, being in itself agreeable to the law of land tenure, happened from the circumstances of Ireland to bear in that country a peculiar value, and to wear a character there of which it was not usually possessed—a character of which it was certainly not possessed in this country. That change was one which, in his belief, and in its essence, had been made by the Land Bill of 1870 had the Bill been permitted to continue in the shape in which it was sent from this House. But it was not permitted so to continue; most unfortunately, influences at work "elsewhere" forbade the tenant to assign. And he was sorry to find the noble Lord the Member for Calne (Lord Edmond Fitzmaurice), with whom this was not the first time they had been unable to agree upon very important matters in Ireland, disposed to ridicule the Bill beforehand. He wished he had heard the noble Lord lament the course taken by the House of Lords in 1870, and lament that these limitations were imposed, for he did not hesitate to express his distinct opinion that if it had not been for that most unfortunate prohibition of the right to assign, the probability was that nine-tenths of the necessity under which they now laid for a new Land Bill for Ireland would not have existed. The second great change to be introduced into the law was the provision of a system which they hoped might be a self-acting system to check arbitrary increases of rent—not to prevent increases of rent, but to check them. The third great change was the power of appeal to a Court for fixing a judicial rent. He had been very unfortunate in explaining himself on this Bill to the minds of hon. Gentlemen opposite; but he hoped he had made it quite clear that that which was viewed by them as exceptional and extraordinary in the Bill was the power of going into Court. There was not one word in any speech uttered from this Bench upon the Bill that had ever sustained the idea under which the right hon. and learned Gentleman (Mr. Plunket) seemed to labour —namely, that the introduction of the principle of free tenant right was looked upon by the Government as an exceptional and temporary change in the Land Law of Ireland. They stood upon it on its merits; they maintained that it had stood the proof of experience. It was shown by experience to be beneficial to the landlord not less than to the tenant; and they, holding that view, could hardly be expected to propose it as a temporary measure. They hoped that as it had worked in Ulster—he would not say to exactly the same extent, and if the Bill passed as it now stood it could not reach the same extent; and he meant by the same extent the exceptional price in certain cases—they hoped that that which had proved so beneficial in Ulster, and which had been attested in Ulster as to its benefit to the interest of the landlord by the far greater increase of rents in Ulster than in any other part of Ireland—they hoped that that principle which was ineradicably planted in Irish instincts and Irish traditions would exist and flourish as a permanent part of the Land Law of Ireland. Although he was not present during the early part of the debate, he understood the cases to be tried were those of the demesne lands and of the landlords who had bought up their tenant rights. Why were they to try a great and fundamental part of the Bill upon cases thoroughly exceptional? There was not one case in a thousand of all the holdings that were likely to be in Ireland that would fall under either of those categories. If his hon. Friend thought that the case of a landlord who had bought up the tenant right required a special provision, let him move such a provision. It was clear that if a landlord had bought up the tenant right he ought to have what he had bought, and there was no doubt he would have it. He apprehended there was not the smallest doubt he would have it. The right hon. and learned Gentleman (Mr. Plunket) attempted to show that the landlord might be tempted to charge the highest competition rent, and, instead of acknowledging that answer as perfect for the purpose for which it was given—namely, to show that the landlord's interest was secure—turned round and said he would rack rent the tenants. The answer to that was that it remained in the hands of the landlord to charge, if he pleased, the highest competition rent. If he did not like to do that, then let him get from the tenant whom he had introduced the best price he could for the tenant right. That was what the Bill would allow him to do, and consequently there was not the slightest semblance of interference with the right of the landlord. But then it was said it was very wrong to give the power of sale. The landlord could sell to the tenant, and the tenant ought to be allowed to sell in his turn. The case of a landlord not wishing that the tenant should sell the tenant right to a party independent of him was provided for, because they had given the landlord the pre-emption. The landlord, therefore, was fenced round in all his rights. If his hon. Friend (Mr. Brand) wanted more protection, let him propose something that had reference only to the cases where the landlord had purchased the tenant right. But now, in the same way in regard to the demesne lands, let the landlord fix whatever rent he pleased, and let him put on the land whatever else it was worth in the shape of tenant right. These were exceptional cases; and if there was a necessity they might deal with them by exceptional provisions; but his hon. Friend came down and said—"No; on account of these exceptional cases I will limit the right to sell to present tenancies." Now, let them consider what that meant. There were 600,000 and odd tenant farmers in Ireland who would be invested by the law with this right to sell; but by degrees all these tenancies would become future tenancies. The future tenancies would buy from the present tenancies. ["How?"] The first tenant of the future tenancies would have to buy from the last tenant of the present tenancies. [Mr. H. R. Brand: Under what clause?] It was under the clause in which the Amendment had been moved. Well, were the future tenants to purchase from the present tenants, and then be deprived of the right of sale?

Mr. H. R. BRAND said, that was not the object of his Amendment. He should think tenancies purchased from the present tenants were continuations of the present tenancies.

Mr. GLADSTONE said, the future tenancies would come in by purchasing the holdings from the present tenancies, and the Committee were going to give the holders of present tenancies the power to sell the tenant right, and that was a thing which would bring a price in the market. If anyone came into the holdings as future tenants they must come in by purchase, and the proposal now was that they should have no right to sell. [Mr. Brand: No.] His hon. Friend said "No." Well, then, let him alter his Amendment, because, as it now stood, it confined the right of sale expressly to the present tenancies.

Mr. H. R. BRAND said, he apprehended that all persons purchasing from present tenants would be present tenants themselves. The right hon. Gentleman, in introducing the Bill, said the modes in which land could pass from a present to a future tenant were if there be a breach of covenant or eviction. The occupier, after the land had passed back into the hands of the landlord, would be a future tenant.

Mr. GLADSTONE said, that was quite true, and that was the only way in which there could be future tenancies. The sale of the tenant right might be compulsory, and the succession of tenants might be broken. But the incoming tenant would have to pay, and the Committee were now invited by his hon. Friend to say that that man, having been induced to buy, should not be permitted to sell. The Government would rather break up the Bill altogether than accept such an Amendment; and, in their opinion, that would be most unfortunate. They desired Parliament to enact what, in the main and in ordinary circumstances, would be a good Land Bill for Ireland, and they were convinced there could be no good Land Bill for Ireland if it be framed in defiance of the best usages of the country. The best usage of the country was that which had prevailed in Ulster, where the tenant and the landlord had flourished most. That usage, as they now had it reported to them by their Commissioners, prevailed over all the country in a constantly increasing degree; there was no county in which it was not found, and it was nothing but the artificial prohibition inserted in the 13th clause of the Land Act which prevented it being universal in Ireland. They desired that the Land Law of Ireland should work harmoniously, and it was a fundamental principle of the Bill that the right of sale should be enjoyed by generation after generation.

MR. GIBSON said, he could not regard the question as a complicated one. In his mind the Amendment was simple, and the considerations which should guide them to a conclusion were clear. The Amendment drew a distinction between present and future tenancies, and it proposed to leave the whole of the 1st clause of the Bill untouched in reference to present tenancies, the definition of which he did not think had been very clearly presented to the House by the Prime Minister. Although it might be reasonable, having regard to the present circumstances of agricultural affairs in Ireland, to deal exceptionally with present tenancies, no such urgency or necessity could be suggested in reference to the future tenants. The Prime Minister, in introducing the Bill, in his speech on the second reading, and in subsequent speeches, had pointed out that his object had been to interfere with the existing laws of freedom of contract and demand and supply as little as the present grave exigencies would permit. That being so, even if the 1st clause, instead of being amended was altogether struck out, future tenants would, under ordinary circumstances, have power to sell and to assign; so that the Amendment was merely dealing with a special right which, under the existing section, was given for the special purpose of the Act. What, then, were future tenants? Present tenancies meant what nine out of ten men would consider future tenancies; and therefore it was necessary to have clearly defined the difference between future tenants according to our ordinary modes of speech, and future tenants according to the technical mode under this Bill, for it was only to the technical class of future tenants under the definition clauses of the Bill that the Amendment of the hon. Member for Stroud was directed. Present tenancies comprised, under the Definition Clause, not only every existing tenant, but also every person who might for generations occupy those tenancies in any form of continuity of title. That showed that the Amendment left untouched, within which he would call the equity of the Bill, all present tenancies and all persons who for generations might stand in the shoes of the present tenants. What class were excluded? Those who might under certain clear and settled conditions become the holders and owners of what the Bill called technically future tenancies. Those he would call, roughly, three. A landlord could make a future tenancy by letting out some of the land now in his own hands. Was it reasonable that that landlord, clothed with absolute dominion in his property, if at any time after the passing of the Bill he chose to make a new contract, should be bound by the terms of the Act, and not be left to the operation of the ordinary Common Law? That he thought unreasonable. Then he would suppose that a landlord, instead of letting out some of the land in his own hands, acquired by purchase possession of a farm, and let the farm again—what was the equity of a future tenant in that case? Why should the landlord be saddled with the special section in this Bill, instead of being left under the ordinary Common Law, which had hitherto been considered sufficient? Then there was the case of a future tenancy created by a breach of the statutory conditions by an existing tenant. This was not a time for much consideration for landlords he was aware; but he would venture to ask why if an existing tenant, who was given all the vast equities under this Bill, who could not be evicted except for a breach of certain statutory conditions, the keeping of which was but the simplest regard for ordinary good husbandry, lost a tenancy by such a violation, the future tenant should come in over the bones of the broken conditions, and stand in a better position than all the other future tenants? What was the sole answer of the Prime Minister to that? He picked up the usual incidental suggestion about the House of Lords, and said if something had not happened "somewhere" this Bill would not be necessary, and that if something which had been introduced by the House of Lords in another Bill had not been introduced, this Bill might not have been necessary. That kind of statement had been heard on several occasions; it had been traced to its source, and would not stand close examination. He was glad to know that the House of Lords had not hesitated to produce a Return which would indicate the smallness of the changes made by that House, and which would show whether those changes had made this Bill necessary. The Prime Minister stated that the landlord had the remedy in his own hands. What was the meaning of that? He would take it that the landlord in possession of his land let a farm at full competition rent. Then there was nothing to sell; and, in other words, the worse the landlord the more certain it was that he would be secure from the operation of this Bill. Then the Prime Minister said the landlord might let at a moderate rent and with a full fine. In other words, he might let it at full value and laugh at the tenant; so that the only person who suffered was the good landlord who took a moderate rent without a fine. The Amendment was, of course, an important one—he quite concurred with the Prime Minister in that—but he could not regard it as being of that overwhelming importance suggested. It was, however, entitled to support, and he hoped it would be accepted.

Mr. SHAW thought it very interesting to see the great sympathy which was shown by hon. Members opposite for the future tenants; but he would suggest to them that the best way of showing that sympathy would be to urge the Government to raise the future tenant in all respects to the position of the present tenant. They gave advantages to the present tenant which they would deny to the future tenant; but he did not think the hon. Member who moved the Amendment agreed in that view. He (Mr. Shaw) differed entirely from the statement of the right hon. and learned Member (Mr. Gibson) as to the number of instances in Ireland of the two particular cases referred to. Instances of landlords buying back their land and re-letting it were very few; and supposing that in future they did so, would they put up buildings and offices? Nothing of the kind. They would let the land to the incoming tenants just as it was, and, as a general rule, the tenants would have to lay out money on the land; but by this Amendment they would be denied the right to sell the property they had created. How many cases were there of landlords who distinguished tenant right in that way? There were landlords who did not allow their tenants to deal with each other; but the number of cases in which landlords bought up the tenant right was very small. The object of the Amendment was to minimize the effect of the Bill. He did not speak on behalf of Members of the House; but he thought he might speak as knowing the opinions of Members and of the people of Ireland. The Prime Minister had said this Bill was the least way in which the Land Question could be settled, and he believed that was the fact; and that if in any way the House minimized the effects of the Bill, it would be his duty, and the duty of those who felt with him, as representing the Irish people, to treat the Bill as a lapsed Bill. He believed some of his hon. Friends opposite thought that even as it was the Bill would hardly satisfy the people of Ireland; but they were willing, if the Government passed it with certain Amendments, to accept it and give it a trial. But the House must not think they could play with this question or with this Bill. They had never been brought face to face with a more important crisis. They might minimize the Bill by this or other Amendments; but did they suppose that the Irish Representatives, knowing the wants of the people, could possibly go on with the Bill and aid its further progress? That was perfectly impossible, and they would have to oppose the Bill; and then the House would see what would be the state of things in the coming winter. They could not evict the whole nation, and, speaking from his own knowledge of the state of feeling in the South and in the North of Ireland, he believed that if this question was not settled quickly and wisely, there would be a state of things in Ireland that would make the strongest heart tremble. They were in the face of an agitation which would probably shake the institutions they revered and the Empire they loved. He felt deeply on the subject; he had worked hard upon it, and he was convinced that this Bill was the minimum Bill which would satisfy the people; and he hoped hon. Members would not by Amendments give excuse for dissatisfaction, and make the Bill useless and worthless.

Mr. A. M. SULLIVAN would offer no opinion as to the intention of the hon. Member who moved the Amendment; but he would show him what the effect of the Amendment must be in minimizing the benefits of the Bill. The Amendment was perfectly logical, and he could understand such an Amendment coming from an hon. Member who believed that the Bill was about to do something vicious, absurd, and mischievous, and who desired that it should be limited in point of time and narrowed in its scope; but those who believed that it was going to be a great and healing measure, could not but regard the Amendment with jealousy. There had been a good deal of incredulity when the Prime Minister said the future tenant might purchase, and therefore why should he not sell? He could give many cases in which the incoming tenant might be a purchaser from the outgoing tenant. Such a tenant was a future tenant if he purchased from an outgoing tenant, who sold because he had not paid his rent; and if he purchased, why should he not sell? Then there was the case of the tenant who was compelled to sell because he had persistently committed waste. The man who purchased from him was a future tenant, and why should he be prevented from selling when he had the right to buy? A third class was that of the tenant who had refused to allow the landlord to exercise his right to mines, and was compelled to sell. The man who bought of him, and who, perhaps, paid him £2,000 for his interest, became a future tenant, and yet the Amendment would prohibit his selling. That was something like a *reductio ad absurdum.* Another case was that of a man who was compelled to sell because he had sub-let or sub-divided his holding without permission, and the man who purchased from him became a future tenant. His construction of the future tenant was borne out by the Interpretation Clause. A future tenant might also come in where a man took a holding which the landlord had himself been working, and in which there was no existing tenancy. He did not believe the hon. Member for Stroud had in his mind the danger to which he (Mr. Sullivan) had called attention. The right hon. and learned Member for the University of Dublin had drawn attention to the great advantage it would be to landlords to be able to do what they liked in future. With some knowledge of how the Act of 1870 had worked, he would warn the Committee to beware of the hidden danger in that direction. The Amendment would put a premium on the clearing of farms in Ireland; and the moment the landlords were given a reward for using in a severe way all the powers of clearing the farms, there would be a new crop of evils. According to the Interpretation Clause tenancy meant the tenant's interest in his holding and the interest of his successors, and the rent of the tenancy meant the rent for the time being payable. But future tenancy meant any tenancy beginning after the passing of the Bill. Any person who held under an unbroken continuity was a present tenant for generations to come; but if the continuity was severed by any of the modes provided in the Bill the continuity ceased, and the future tenancy began. He appealed to the hon. Member to consider whether it was fair to forbid a purchaser the right to sell?

Lord RANDOLPH CHURCHILL thought there was no very wide difference between the Government and hon. Members on that side of the House; but he considered the Amendment would go further than would be consistent with the intention of the Mover, and it was possible that the Bill as it stood might go rather further than the Government intended. Still, he thought the Prime Minister had, to some extent, met the hon. Member when he said he would consider favourably any alteration which affected this particular clause in regard to landlords who had bought up the tenant right. That was really the whole question. In various ways the landlord might take up the land and not be willing to let the tenant buy the tenant right from him. The Prime Minister was evidently of opinion, and, no doubt, he had had vast experience on this subject, that free sale was a cherished custom and practice in Ireland. That, however, was not so. No doubt free sale, so far as it existed, was an Irish custom, for it was not met with anywhere else; but it was not practised all over Ireland, and they would have under this Bill, as they had had under the Act of 1870, the landlords fighting and struggling against it because they hated it, and believed that it was thoroughly bad and economically unsound. Within the last few days they had had a marvellous proof of its unsoundness, in a Return issued with reference to the number of ejectments. In Ulster they were four times more numerous than in Leinster, three times more numerous than in Munster, and twice as numerous as in Connaught .In Ulster they were 1,200, as against 300 in Leinster. What could be the meaning of that if this free sale was a panacea for everything, as the Prime Minister believed it to be? This state of things must arise from one of two causes—either that free sale did not offer that security for rent which, in some quarters, it was alleged to offer, or that the tenant had paid such a high price for the goodwill that he was unable to cultivate his land properly and pay the rent to the landlord. He did not believe that landlords were all going to run away if the Bill passed; but he had no doubt they would struggle against free sale as hard as they had done before, for the reason that they believed it to be unsound. There was another aspect in which the matter might be viewed. The landlord might succeed to the tenancy of his own land on intestacy of the tenant, or might come into possession through breach of the statutory conditions on the part of the tenant, or might buy up the tenant right. He might get hold of the land and hold it in his own hand, and farm it and improve it. Then such a landlord, hating tenant right, might say to an incoming tenant—"I could make you pay me a sum as tenant right; but I will not do anything of the kind, as I believe the principle to be unsound. I believe the capital you should give me should be put into the land. I will charge you a certain rent and, as long as you pay that, you shall be my tenant." He would ask did they want, by this Bill, to give to these tenants—and he was sure the cases he had described would not be uncommon—absolutely the same rights that they would give to future tenants who paid directly for their tenant right? He hoped the Prime Minister would be able to exclude these tenants from the Bill—in fact, the right hon. Gentleman had partly intimated to the hon. Member for Stroud that he would do so.

Sir GEORGE CAMPBELL said, he could not vote for the Amendment, which had been brought forward to remove a cause of alarm; but he must confess that the explanation they had heard from the right hon. Gentleman had alarmed him in another way. He had been under the belief that, after the passing of the Bill, future tenants would be a rare class—that they would only exist when the landlord had obtained possession of the property free from tenant right. In this case, it seemed, the Prime Minister was not unwilling to make some concession, and he (Sir George Campbell) had himself thought that something should be done in that respect. But he now understood from the right hon. Gentleman, that the future tenants would be a large and a growing class; and, therefore, that a large number of tenants would undergo a degradation into a lower class. That, it seemed to him, would be a great evil. They had frequently heard of the evils of divided property. This measure, he had hoped, would tend to put an end to the division of property; he had thought that a higher class of tenants would be the result, and that these tenants would eventually buy out the landlords in some way and become the owners of the soil. When the landlord had got rid of all tenant right, or when the tenant had become the landlord himself, they would have a clear and complete owner, and they would no longer have this intermediate stage described as a *modus vivendi.* This process of degradation, however, would defeat that process of gradually forming a complete ownership at which he, for one, hoped the Bill aimed. First class tenants would be gradually degraded into second class, and every landlord who had acquired a complete property in his land would be prohibited from introducing the English or Scotch system of tenancy. This seemed to him to be not so much a question of the rights of landlords as one of public policy. Did they wish to make it impossible for the landlord, however completely he had become the owner of his land, to let a farm on the English or Scotch system? He trusted the Prime Minister would have this matter, as to the definition of future tenancies, cleared up, so that the evil he had described might be avoided.

Sir WALTER B. BARTTELOT said, it was an extraordinary thing, but it was nevertheless the fact, that the further they went into this Bill the more difficult it was to understand. He had understood that one of the Government principles of the measure was fixity of tenure. That was absolutely denied by the Prime Minister, because the right hon. Gentleman stated, and stated distinctly, that he hoped, in no very long time, to see a large number of new tenancies created. How could these new tenancies be created? Why, in three ways, as had been shown by the hon. Gentleman the Member for Stroud (Mr. Brand). By the landlord parting with his demesne lands; by the landlord's buying up the tenancy and letting another tenant have that property; and, under Clause 4, where, according to the statutory conditions of the Bill, the tenants would have the right to compensation for disturbance, and new tenants would be created. But what he objected to was that, in fact, notwithstanding all that had been said by the Prime Minister, the Bill would give perpetuity of tenure, because no one having parted with his land could get rid of his tenant unless he did something that came under Clause 4. That was the whole question, and he could not for the life of him see how the conditions of Clause 4 would be broken. [Mr. Gladstone dissented.] The right hon. Gentleman (Mr. Gladstone) shook his head. The Prime Minister's head had, certainly, been set going this evening; but perhaps he (Sir Walter B. Barttelot) would be able to find out something which would somewhat change its motion. As he understood the Bill, a tenant could only be got rid of if he did something which was a breach of the statutory conditions of the measure. That had been clearly explained by the hon. and learned Member for Meath (Mr. A. M. Sullivan); and he would point out to the right hon. Gentleman that to give a man who had been got rid of for a breach of the conditions of Clause 4 the right of free sale or compensation for disturbance was putting a premium upon bad farming. That was the one thing they wished to get rid of, and that was the one thing they would perpetuate by the conditions of this measure. The hon. and learned Member for Meath had enumerated the conditions under Clause 4. The first three were the most important—namely, non-payment of rent, bad farming, and persistent waste by dilapidation of buildings, &c., which was quite as detrimental to the holding as bad farming. Well, the tenant who failed in these conditions had no right to free sale; therefore, he held that the proposal of the hon. Member for Stroud was a sound one, and one which ought to commend itself to the judgment of the Committee. They would be doing nothing unjust to future tenants by accepting it. It was the tenant's own fault if he could not sell that which he had. He only forfeited it by doing that which he had no business to do under the Bill; and if he had forfeited, he had no right to be able to sell, and the Committee had no right to confer on him the power. There was one thing he was glad to hear the Prime Minister say—namely, that he would take into consideration the two classes mentioned by his hon. Friend. He (Sir Walter B. Barttelot) had an Amendment on the Paper himself, but he believed this of the hon. Member for Stroud to be a sound one; therefore, he should support it.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he would trouble the Committee with very few observations; but as he thought there was some misapprehension in the mind of the hon. and gallant Gentleman, it was only right that he should correct him at once. The hon. and gallant Gentleman said that the Bill created complete perpetuity of tenure, and that it was only through a breach of the statutory conditions that a tenant could be got rid of. But it should be remembered that this Amendment dealt with the distinction between present and future tenancies. This Bill did not create perpetuity of tenure with respect to future tenancies. [Sir Walter B. Barttelot: Present tenancies.] The hon. and gallant Member said "present tenancies;" but the Amendment dealt with the distinction between present and future tenancies. They were not dealing with the position of present tenancies, but the reasons for excluding future tenancies from the provisions of the Bill. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had said that the creation of future tenancies was a remote and improbable contingency. Well, if that were so, it could not be such a very serious matter if they were dealt with in the same way as present tenancies. He did not think it, however, such a remote and improbable contingency, because there were various ways provided in the Bill by which future tenancies might come into existence. Every piece of land let for the first time after the passing of this Bill would be a future tenancy. Where the land was now under lease and the tenant after the expiration of the lease entered into a new arrangement with the landlord; where the tenant did not comply with the statutory obligations; and where, after the expiration of 15 years from the passing of the Act, the landlord exercised his right of pre-emption and again let the land—in all these cases future tenancies would be created. Therefore, before long many of these tenancies might exist, and, consequently, the creation of future tenancies was not such a remote and improbable contingency. In one way or another these tenancies were very likely to grow up in Ireland. Then arose the question how they were to deal with these tenancies. He agreed that if they regarded the provisions of this section as bad in themselves, as simply intended to deal with a temporary difficulty —an evil which they must submit to for that purpose—there might be something in the argument of those who had condemned the application of this section to future tenancies. But when they might have future tenancies at so early a date as after the passing of the Bill, it was a very serious and dangerous policy to raise great difficulties with regard to them. But the Government did not think that this right of sale was an evil thing in itself; and he ventured to say, that if they carefully weighed the evidence taken before the Land Commissioners, the balance of evidence would be found to be the other way. [Sir WALTER B. BARTTELOT: As to present tenancies.] He did not care whether as to present or future tenancies. What he was contending was that the power of the tenant to sell his tenant right, and so realize the value of such improvement as he himself had created, was all that the provision came to. ["No, no!"] Well, he thought it was unquestionably the case, and he would prove it in a minute. He would appeal to hon. Members who understood the Ulster Custom whether the creation of improvements was not one of the great elements which entered into the sale of the tenant right? He did not say it was the only element; but it was a great one beyond all question. But they proposed, with regard to the future tenant, not to allow him any right as to that element or any other element. ["No, no!"] Hon. Members said "No!" but he was quite sure that the right hon. and learned Gentleman the Member for the University of Dublin would confirm what he had said. Whether it was the sale of the improvements which the tenant had made, or anything else, if they carried this Amendment it was quite clear they would prevent the sale of those improvements at all. There could not be any doubt about that. Let them take the case which had already been put. Take the case where a future tenancy arose in any of the methods he had described. Suppose the landlord to be in possession of the land, and suppose that he, having the tenant right in his own hand, let the land to a tenant, receiving from him the sum he had paid for the tenant right, or, having had the land in his own hands, the value of the improvements he had effected, they proposed by the Amendment to prevent the incoming tenant from selling the tenant right he had bought. Suppose, on the other hand, the landlord let the land at the full competition rent, they might say the tenant had nothing to sell. That might be true when the man entered into possession; but he might very soon make something to sell —he might improve it and make it much more valuable, but they would deny him the right of realizing the value of his improvements. ["No, no!"] Hon. Members said "No!" The Government had been accused of making the Bill obscure; but, he must say, that this was about as plain as anything he could conceive. They would deprive the tenant of the value of his improvements. ["No, no!"] Then if they would tell him how the man was to sell, when they had said "You are not to sell," he should be content. There was a third case. Suppose the land was let at a moderate rent, the landlord could raise it if there was any attempt to sell the tenant right, and deprive him of his due. Therefore, the right of free sale did not damnify the landlord, and, he contended, the experience of the province of Ulster proved that that was the case. Let them take this case, Suppose the tenant was compelled to sell his tenant right under the provisions of this Bill, it was out of the price of the tenant right that the landlord was to be paid the arrears of rent, if there were any; and if there had been any damage by breach of covenant, as, for instance, by waste, compensation was to come out of the price of the tenant right. And yet they said that the man who had provided the funds out of which the landlord was to get the amount of damage was not to sell his right. That would be the operation if the Amendment were carried. He did not propose to detain the Committee further. He had endeavoured to put forward these things as clearly as he could, and, if it was found that there were likely to be cases of exceptional hardship—where the clause would work oppressively — it might be amended. But, in a wholesale manner, to deprive future tenants of the right of free sale, would have a most prejudicial effect. Experience showed that if there was anything which tended to prevent undue friction where a difficulty arose as to payment of rent, or as to the tenant right of the occupier—cases of which kind were, unfortunately, so common in Ireland—it was a fair concession of this right of free sale.

Mr. CHAPLIN rose for the purpose of asking the Government for an explanation on one or two points which arose naturally out of the speech of the Prime Minister, and which he did not understand to have been cleared up since the right hon. Gentleman had spoken. He understood the right hon. Gentleman to oppose the Amendment on the ground that he thought it desirable to establish the right of assignment—that was to say, the principle of tenant right—for generation after generation in Ireland for the future. And he grounded that policy on two assumptions. First, he said that in nearly every case the future tenant would have bought his holding; and, in the second place, he said that the Ulster Custom had been eminently successful in Ireland. It had, however, been pointed out by the noble Lord the Member for Woodstock (Lord Randolph Churchill) that the right of pre-emption which the Bill gave to the landlord would largely prevent the future tenant from becoming the proprietor of his holding. Many landlords in Ulster, differing from the right hon. Gentleman in his view of the right of assignment—and he (Mr. Chaplin) quite admitted it was a matter open to argument—disapproved of the principle of tenant right altogether. He knew many cases where large sacrifices had been made by the landlords for the purpose of getting rid of the custom. Let them take the case of a landlord who exercised his right of pre-emption, and did not choose to charge the future tenant with an excess rent—what was to be his position? Did the right hon. Gentleman mean to tell them that, under circumstances such as these, it was absolutely necessary for the welfare of the tenant, just for the landlord, and for the future benefit of Ireland, that the tenant was always to have the right of selling something which he had never bought? The right hon. Gentleman referred to Ulster, and argued before the Committee as though the case of that Province was identical with the case of the rest of Ireland where tenant right did not exist. Surely he must have forgotten that the Ulster tenant had always bought when he entered a farm, which was very different from the case of a man who entered on tenant right without paying anything for it at all. He would cite against the right hon. Gentleman an authority as high as himself, who disapproved of the extension of the Ulster Custom to the rest of Ireland. This authority, when it was argued that the extension of the Ulster Custom to the rest of Ireland was open to re-consideration, said—

> "I must say that the extension of the Ulster Custom to the rest of Ireland does appear a manifest violation of the principles of justice, and to be impossible, if we mean to respect those principles."

And then he went on, a little bit further, to say this—

> "But when you talk of extending the custom to other parts of Ireland, you speak of a change which would alter the terms which, in those other parts of Ireland, have already been agreed upon between landlord and tenant; and, therefore, if you gave, in such a case, to the tenant the value of the custom existing elsewhere, you would be just taking so much from the landlord and giving it to the tenant."—[3 *Hansard*, cxcix. 1666-7.]

The authority who made this statement was the Lord High Chancellor of England. This being the view of, perhaps, one of the right hon. Gentleman's most distinguished Colleagues, he hoped he would not think he was going beyond his right in asking for some explanation on this point. He had understood the right hon. Gentleman to say that but for the alterations which were made in "another place" in the Act of 1870, nine-tenths of the present legislation would have been rendered unnecessary. The Prime Minister, however, on another occasion, had used the following words, which were very inconsistent with the statement to which he alluded :—

> "Defects have been developed in that Act which have seriously marred the completeness of its operation. Some of these defects, undoubtedly, . . . . are due to the changes which the Bill underwent after it had left this House. But others of them, I am bound to say, were involved in the original construction of the measure, and even if it had passed into law in the same state as it passed this House, it would not have been completely adequate for its purpose."—[3 *Hansard*, cclx. 893.]

This was rather different from what the right hon. Gentleman had said to-night —namely, that nine-tenths of the necessity for the present legislation would not have arisen but for the changes made in the Act of 1870.

Mr. H. R. BRAND said, his Amendment would only affect cases where the landlord had bought up the tenant right, and, if he understood the right hon. Gentlemen aright, he had made a concession in this respect. He was prepared to consider the case where the landlord had purchased the tenant right; and he was prepared, therefore, to give the landlord the power to let his land without conferring on the tenant the right of free sale. ["No, no!"] That, he thought, was the interpretation to be put upon the right hon. Gentleman's speech. If he (Mr. Brand) was correct, he would have no objection in withdrawing his Amendment, on the understanding that the Prime Minister would accept an Amendment in the same direction later on.

Mr. GLADSTONE: What I said was this, that, in my opinion, my right hon. Friend near me had pointed out that the landlord was perfectly and absolutely protected in cases where he had bought up the tenant right. ["No, no!"]. I beg pardon, but I am stating what I know to be the case. At the same time, the cases where the landlords buy up the tenant right are extremely few, and I should be loth to quarrel with my hon. Friend (Mr. Brand) as to limited cases of this kind. I do not know what form the proposal would take; but, without binding myself, I should look favourably on any proposal to carry out my hon. Friend's object.

Mr. W. FOWLER wished to mention one other case, not mentioned by the Prime Minister. Let them take the case of a man owning a lot of waste land, and making it fit to be farmed by good tenants. That was a case very well known in some parts of Ireland, and it was well worth the consideration of the Prime Minister. The landlord would have bought up the tenant right, or it would never have existed, his own money having brought about all the improvements. He hoped the hon. Member would press the Amendment to a division.

The CHAIRMAN: Does the hon. Member wish to withdraw this Motion?

Mr. H. R. BRAND: Yes.

Sir STAFFORD NORTHCOTE: I think we ought clearly to understand the position in which we shall leave this subject. Do we understand that the Government decidedly promise to accept an Amendment on this question? ["No, no!"] Then, as I understand it, the hon. Member for Stroud is going to withdraw his Amendment without making provision for the classes he desires to protect. The object of the hon. Member for Stroud is to meet certain cases in which the future tenants might come in, not by purchase from the present tenant, but under certain circumstances, such as the landlord letting the demesne which he has held, or cases in which the landlord, having bought up the tenant right, afterwards wished to re-let. As I understood the Prime Minister, he suggested that these cases might be met in the future by Amendments; but we wish to know are they really to be met, or is the matter to stand over in an indefinite way without any promise or understanding at all; and, if so, is the hon. Member for Stroud content with that condition of affairs? It seems to me that the hon. Member made out a case which is one very deserving of consideration—a case which we know does arise in Ireland. I suppose every hon. Member who has friends in Ireland can point to cases where that is so—where the landlord has thought it to be the best way to manage his estate never to allow a tenant right to arise, and in which he has made sacrifices of money which he might have received as arrears of rent had he allowed the incoming tenant to pay the outgoing tenant. I understand that you desire to protect the landlords who wish to carry on their estates on that principle under the operation of this Bill. The Amendment is given up; but we should have a clear understanding as to what is to be put in its place.

Mr. H. R. BRAND said, there was an Amendment lower down standing in the name of the hon. and learned Member for Meath (Mr. A. M. Sullivan); and if that was agreed to, he (Mr. Brand) proposed to bring up a clause excluding the cases mentioned. He understood from the Prime Minister that that Amendment would be favourably considered by the Government, although they could not commit themselves to a promise to accept it.

Amendment, by leave, *withdrawn.*

The CHAIRMAN called upon the Attorney General for Ireland to move the next Amendment.

Dr. COMMINS rose——

The CHAIRMAN: The hon. Member must trust to the Chairman for calling an Amendment in its right place. The hon. Gentleman who rose will presently find himself fully protected.

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, his was merely a verbal Amendment. If they looked at the clause they would see that the word "tenancy" was used twice, and in each case in a different sense.

Amendment proposed, in page 1, line 7, leave out "tenancy," and insert "holding."—(*Mr. Attorney General for Ireland.*)

Amendment *agreed to.*

The CHAIRMAN said, the next Amendment in order stood in the name of Dr. Commins.

Dr. COMMINS said, he intended to move the omission of the words "to which this Act applies," in order to substitute the words "not hereinafter specially excepted." The Amendment would add nothing to the meaning of the Bill as the Committee understood it. He believed the intention of the Bill was that it should apply to every tenancy not specially excepted, but that was not expressed. It might naturally be expected that somewhere in the Bill there would be an enumeration of the tenancies to which the Bill applied; but nowhere in the Bill did such an enumeration exist of the tenancies to which the Act would apply. If they went carefully through the Bill they would find that, at all events, it would greatly puzzle a non-professional person, and, he believed, even a professional man, to understand what the tenancies were that were intended. He could only find two or three clauses which specially applied the Act to any particular class of tenancies; and unless this Amendment were inserted it would be doubtful whether the Act would apply at all to one class which was, probably, the largest class in Ireland. Take the tenancies implied in Clause 3. Before the landlord demanded an increase of rent it might be asked whether or not the Act applied to tenancies where the tenant was satisfied with the rent and the landlord was satisfied with the tenancy? If the landlord made no demand, he believed the Act would not apply to the tenancy at all; and, therefore, such tenancy would not be one that would fall within the present section, and the tenant would have no right to sell the holding. To prevent such a doubt existing which might afterwards lead to endless litigation, and mar the effect of the Act, he suggested to add the words—"Every tenancy not specially excepted from the provisions of this Act."

Amendment proposed,

In page 1, line 7, to leave out the words "to which this Act applies," and insert "not hereinafter specially excepted from the provisions of this Act."—(*Dr. Commins.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. GLADSTONE: I am not quite sure of the necessity of these words; but, on the whole, I think that they tend to make the matter clearer. They do not alter the meaning and intention of the clause.

Mr. WARTON thought the Amendment might be slightly improved by omitting the last words. "Not hereinafter specially excepted" would be quite enough.

Question put, and *negatived.*

Question proposed, "That those words be there inserted."

Mr. WARTON moved, as an Amendment to the Amendment of the hon. Member for Roscommon (Dr. Commins), to omit the words "from the provisions of this Act."

Amendment proposed, to omit from the proposed Amendment the words "from the provisions of this Act." — (*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Amendment."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) thought the adoption of the Amendment of the hon. and learned Member for Bridport (Mr. Warton) might have the effect of introducing an unnecessary ambiguity.

MR. WARTON said, he certainly did not agree with the right hon. and learned Attorney General.

MR. GIBSON thought it would be better to defer the consideration of the proposal of his hon. and learned Friend (Mr. Warton) until they came to the exceptions at the end of the Bill. If the matter had not by that time been made quite clear, it could be further considered.

Amendment to proposed Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

THE CHAIRMAN: The next Amendment in order is in the name of Mr. Ramsay.

MR. RAMSAY said, he understood that the Prime Minister intended to report Progress at 12 o'clock; and as that hour had almost been reached, and the Amendment he (Mr. Ramsay) intended to propose would require a lengthened explanation, he would move to report Progress.

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Ramsay.*)

MR. GLADSTONE said, the time at the disposal of the Committee had been so dreadfully cut into in the early part of the evening that he was in hopes his hon. Friend would not have taken off another slice at the end of the evening. If his hon. Friend would kindly state his case before the Committee reported Progress it might be useful.

MR. GIBSON thought the Amendment of the hon. Member for Falkirk (Mr. Ramsay) was capable of being moved in a very short time and in a very few sentences; but it must necessarily lead to some discussion.

MR. GLADSTONE said, he had no wish to prevent discussion.

MR. GIBSON thought that, under all the circumstances, it would perhaps be most convenient that the hon. Member should open the day with the Amendment.

MR. HEALY understood that the Government had accepted the Amendment of his hon. Friend the Member for Roscommon (Dr. Commins). He thought they ought to go a step further, and include the ordinary tenancies under the Act. The ordinary tenants, as the Bill was now drawn, did not get a single bit of benefit from it, and he saw no reason why they should be restricted. He had himself an Amendment to move, the object of which was to apply this clause, subject to any such conditions as were in the Act declared to be statutory conditions. His point was, that if they only accepted the hon. Member for Roscommon's Amendment they would still exclude tenants who were under ordinary conditions. If the Bill stood as it was drawn, ordinary tenants would get no benefit from it; but it would take away the few benefits from them which they now possessed.

SIR H. DRUMMOND WOLFF asked if the noble Lord the Secretary to the Treasury intended to proceed that night with his Motion in regard to the Business of the House?

LORD FREDERICK CAVENDISH said, he did not, if it was likely to lead to any discussion.

SIR H. DRUMMOND WOLFF said, he should oppose the Motion for reporting Progress, unless the noble Lord gave a pledge that he would not bring the Motion on at that hour of the morning. It was simply playing with the House to attempt to subvert the ordinary Rules of the House at that hour of the night.

THE CHAIRMAN: That is a question which is not at present before the House.

SIR H. DRUMMOND WOLFF intimated that he should challenge the Motion for reporting Progress.

LORD RANDOLPH CHURCHILL wished to point out, with all respect, that the question of reporting Progress had a great deal to do with the Business that was to be taken afterwards. It was understood that Progress was to be reported at 12 o'clock, because the Prime Minister was anxious to ask for a Vote of Credit; but it was not understood that they were to report Progress to enable the Government to bring on the question of going into Committee of Supply on Mondays compulsorily without an opportunity being afforded for discussing any previous Motion.

LORD FREDERICK CAVENDISH said, the noble Lord need be under no alarm; he would not proceed with the Motion of which he had given Notice.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

## SUPPLY — CIVIL SERVICES AND REVENUE DEPARTMENTS.

### FURTHER VOTE ON ACCOUNT.

SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a further sum, not exceeding £2,541,300, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1882, viz:—

### CIVIL SERVICES.

### CLASS I.—PUBLIC WORKS AND BUILDINGS.

Great Britain :—

| | £ |
|---|---|
| Furniture of Public Offices | 500 |
| Revenue Department Buildings | 35,000 |
| County Court Buildings | 7,000 |
| Metropolitan Police Courts | 1,000 |
| Sheriff Court Houses, Scotland | 1,000 |
| New Courts of Justice, &c. | 15,000 |
| Surveys of the United Kingdom | 20,000 |
| Science and Art Department Buildings | 500 |
| British Museum Buildings | 1,000 |
| Natural History Museum | 10,000 |
| Edinburgh University Buildings | - - |
| Harbours, &c. under Board of Trade | 1,000 |
| Rates on Government Property (Great Britain and Ireland) | 50,000 |
| Metropolitan Fire Brigade | 2,500 |

Ireland :—

| | |
|---|---|
| Public Buildings | 15,000 |
| Science and Art Buildings, Dublin | - - |
| Shannon Navigation | 1,500 |

Abroad :—

| | |
|---|---|
| Lighthouses Abroad | 1,000 |
| Diplomatic and Consular Buildings | 2,000 |

### CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

England :—

| | £ |
|---|---|
| House of Lords, Offices | 4,000 |
| House of Commons, Offices | 4,000 |
| Treasury, including Parliamentary Counsel | 10,000 |
| Home Office and Subordinate Departments | 15,000 |
| Foreign Office | 12,000 |
| Colonial Office | 13,000 |
| Privy Council Office and Subordinate Departments | 10,000 |
| Privy Seal Office | 500 |
| Board of Trade and Subordinate Departments | 20,000 |
| Charity Commission (including Endowed Schools Department) | 5,000 |
| Civil Service Commission | 4,000 |
| Copyhold, Inclosure, and Tithe Commission | 3,000 |
| Inclosure and Drainage Acts Expenses | 2,000 |
| Exchequer and Audit Department | 15,000 |
| Friendly Societies, Registry | 1,000 |
| Local Government Board | 25,000 |
| Lunacy Commission | 2,500 |
| Mint (including Coinage) | 5,000 |
| National Debt Office | 2,000 |
| Patent Office | 4,500 |
| Paymaster General's Office | 4,500 |
| Public Works Loan Commission | 700 |
| Record Office | 3,000 |
| Registrar General's Office (including Census) | 15,000 |
| Stationery and Printing | 80,000 |
| Woods, Forests, &c., Office of | 4,000 |
| Works and Public Buildings, Office of | 7,000 |
| Secret Service | 2,000 |

Scotland :—

| | |
|---|---|
| Exchequer and other Offices | 500 |
| Fishery Board | 1,000 |
| Lunacy Commission | 500 |
| Registrar General's Office (including Census) | 5,000 |
| Board of Supervision | 1,000 |

Ireland :—

| | |
|---|---|
| Lord Lieutenant's Household | 500 |
| Chief Secretary's Office | 3,000 |
| Charitable Donations and Bequests Office | 100 |
| Local Government Board | 20,000 |
| Public Works Office | 2,000 |
| Record Office | 500 |
| Registrar General's Office (including Census) | 5,000 |
| Valuation and Boundary Survey | 2,000 |

### CLASS III.—LAW AND JUSTICE.

England :—

| | £ |
|---|---|
| Law Charges | 7,000 |
| Public Prosecutor's Office | 600 |
| Criminal Prosecutions | 15,000 |
| Chancery Division, High Court of Justice | 25,000 |
| Central Office of the Supreme Court, &c. | 15,000 |
| Probate &c. Registries, High Court of Justice | 5,000 |
| Admiralty Registry, High Court of Justice | 500 |
| Wreck Commission | 1,000 |
| Bankruptcy Court (London) | 5,000 |
| County Courts | 20,000 |
| Land Registry | 500 |
| Revising Barristers, England | - - |
| Police Courts (London and Sheerness) | 1,000 |

| | |
|---|---|
| Metropolitan Police .. .. | 50,000 |
| County and Borough Police, Great Britain .. .. .. | 1,000 |
| Convict Establishments in England and the Colonies .. .. | 20,000 |
| Prisons, England .. .. .. | 50,000 |
| Reformatory and Industrial Schools, Great Britain .. .. .. | - - |
| Broadmoor Criminal Lunatic Asylum | 2,000 |

Scotland:—

| | |
|---|---|
| Lord Advocate, and Criminal Proceedings .. .. .. .. | 5,000 |
| Courts of Law and Justice .. .. | 5,000 |
| Register House Departments .. | 2,000 |
| Prisons, Scotland .. .. .. | 10,000 |

Ireland:—

| | |
|---|---|
| Law Charges and Criminal Prosecutions .. .. .. .. | 10,000 |
| Supreme Court of Judicature .. | 15,000 |
| Court of Bankruptcy .. .. | 1,500 |
| Admiralty Court Registry .. .. | 100 |
| Registry of Deeds .. .. | 2,000 |
| Registry of Judgments .. .. | 500 |
| County Court Officers, &c. .. .. | 10,000 |
| Dublin Metropolitan Police (including Police Courts) .. .. .. | 30,000 |
| Constabulary .. .. .. | 220,000 |
| Prisons, Ireland .. .. .. | 25,000 |
| Reformatory and Industrial Schools .. | 20,000 |
| Dundrum Criminal Lunatic Asylum .. | 500 |

### CLASS IV.—EDUCATION, SCIENCE, AND ART.

| England:— | £ |
|---|---|
| Public Education .. .. .. | 400,000 |
| Science and Art Department .. | 50,000 |
| British Museum .. .. .. | 15,000 |
| National Gallery .. .. .. | 2,000 |
| National Portrait Gallery .. .. | 300 |
| Learned Societies, &c. .. .. | 5,000 |
| London University .. .. | 2,000 |
| Deep Sea Exploring Expedition (Report) .. .. .. .. | 1,000 |
| Sydney and Melbourne International Exhibitions .. .. .. | 1,000 |

Scotland:—

| | |
|---|---|
| Public Education .. .. .. | 80,000 |
| Universities, &c. .. .. .. | 2,000 |
| National Gallery .. .. .. | - - |

Ireland:—

| | |
|---|---|
| Public Education .. .. .. | 130,000 |
| Teachers' Pension Office .. .. | 100 |
| Endowed Schools Commissioners .. | 100 |
| National Gallery .. .. .. | 300 |
| Queen's University .. .. | 500 |
| Royal University .. .. .. | 200 |
| Queen's Colleges .. .. .. | 2,000 |
| Royal Irish Academy .. .. | 300 |

### CLASS V.—FOREIGN AND COLONIAL SERVICES.

| | £ |
|---|---|
| Diplomatic Services .. .. | 30,000 |
| Consular Services .. .. .. | 50,000 |
| Suppression of the Slave Trade .. | 500 |
| Tonnage Bounties, &c. .. .. | 1,500 |
| Suez Canal (British Directors) .. | - - |
| Colonies, Grants in Aid .. .. | 5,000 |
| Orange River Territory and St. Helena | 500 |
| Subsidies to Telegraph Companies .. | - - |

### CLASS VI.—NON-EFFECTIVE AND CHARITABLE SERVICES AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

| | £ |
|---|---|
| Superannuation and Retired Allowances .. .. .. .. | 100,000 |
| Merchant Seamen's Fund Pensions, &c. .. .. .. .. | 6,000 |
| Relief of Distressed British Seamen Abroad .. .. .. | 2,000 |
| Pauper Lunatics, England .. .. | 1,000 |
| Pauper Lunatics, Scotland .. .. | 1,000 |
| Pauper Lunatics, Ireland .. .. | 10,000 |
| Hospitals and Infirmaries, Ireland .. | 1,500 |
| Friendly Societies Deficiency .. | - - |
| Miscellaneous Charitable and other Allowances, Great Britain .. | 500 |
| Miscellaneous Charitable and other Allowances, Ireland .. .. | 500 |

### CLASS VII.—MISCELLANEOUS.

| | £ |
|---|---|
| Temporary Commissions .. .. | 5,000 |
| Miscellaneous Expenses .. .. | 500 |
| Total for Civil Services | £1,961,300 |

### REVENUE DEPARTMENTS.

| | £ |
|---|---|
| Customs .. .. .. .. | 100,000 |
| Inland Revenue .. .. .. | 80,000 |
| Post Office .. .. .. | 200,000 |
| Post Office Packet Service .. .. | 100,000 |
| Post Office Telegraphs .. .. | 100,000 |
| Total for the Revenue Departments .. .. .. | £580,000 |
| Grand Total .. | £2,541,300" |

SIR STAFFORD NORTHCOTE asked if it was intended to take Supply before the Land Bill was finally disposed of, or was it intended to suspend Supply while the Land Bill was before the House? He was anxious to know what the condition of the House was. So far, they had taken very few Votes in Supply.

MR. GLADSTONE said, it was very difficult for the Government to judge what time the Land Bill would take in Committee. Indeed, it was extremely difficult; and, therefore, he was unable to give any authoritative answer in reference to Supply. He certainly did not expect to make any great progress in Supply until the Land Bill was got rid of; and after that was done Supply would be regularly proceeded with.

Sir H. DRUMMOND WOLFF wished to put a Question to the right hon. Gentleman the Prime Minister in reference to the order of Business. There were several Bills put down constantly which he did not believe the Government had any intention of bringing on; but the fact that they were down on the Paper gave a great deal of trouble to hon. Members. For instance, there were the Parliamentary Elections Bill and the Parliamentary Oaths Bill. He did not think the Government ought to put down Bills of such importance unless they intended to bring them on. Night after night he saw the Parliamentary Oaths Bill on the Paper. There was no necessity for this, as there could be very little intention on the part of the Government of proceeding with it at once, and he was certain the right hon. Gentleman had no wish to carry it forward in an underhand way.

The CHAIRMAN: Questions relating to the Orders of the Day can only be asked in the House, and not in Committee of Supply.

Sir H. DRUMMOND WOLFF would, under these circumstances, move to report Progress, so that he might be able to put this Question.

The CHAIRMAN: That would still be an irregular course. The Question which the hon. Member proposes to ask can only be put in the House with the Speaker in the Chair.

Mr. T. COLLINS said, they could not have the Speaker in the Chair unless they reported Progress; and as it was desirable that they should report Progress, in order to have the Speaker in the Chair, he would second the Motion for reporting Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir H. Drummond Wolff.*)

Mr. A. J. BALFOUR said, he did not understand one of the phrases made use of by the Prime Minister. The right hon. Gentleman said that Supply would be taken when "the bulk of our work on the Land Bill was concluded;" but he had not made it clear whether he referred to the work in Committee, or to the work which the House would have to do on the third reading.

Mr. GLADSTONE said, in some cases work strictly analagous to work in Committee went over to the Report. If that were so in the present case, he should include the stage of Report in the expression he had used.

Mr. GORST asked if the Prime Minister could give the House any prospect of a discussion on the state of affairs in the Transvaal? A great deal of reticence had been exercised in connection with this subject in order not to cause the Government embarrassment in the position in which they were placed; but the right hon. Gentleman would be conscious that the state of affairs in the Transvaal were extremely serious, and that many hon. Members who desired to see the undertakings of the Government carried out were very anxious with regard to the Transvaal question. He trusted the Government would appoint an early day for the discussion of the Motion which stood upon the Paper.

Mr. GLADSTONE said, the answer he had given to the right hon. Baronet (Sir Michael Hicks-Beach) was that Her Majesty's Government could not appoint a day for discussion on his Motion until the labours of the Commission were completed. A telegram had been received that day, stating that the work of the Commission had begun, and he presumed, when it was completed, the right hon. Baronet would renew his application to the Government. The answer to that application would depend on one consideration. The desire of Her Majesty's Government was that the discussion should be taken as soon as it could be proceeded with without detriment to the Public Service; but their decision must be founded on the actual progress of the Commission in its work.

Captain AYLMER understood that the Estimates would be postponed to the end of the Session, when most hon. Members were out of town. He had given a great deal of attention to the various items of Supply last year, and had frequently addressed the Committee when scarcely 40 Members were present in the House, owing to the Estimates having been introduced at so late a period of the Session. There could be no doubt that the postponement of Supply to the last days of the Session was most injurious to the interests of the Public Service.

Earl PERCY said, as Supply was the special work of the House of Commons, it was very important that the

Votes should be fully discussed. Although it was disagreeable to those who had no right to speak with authority on the course of Business to mention the subject, yet he thought hon. Members had a right to know whether, in the opinion of the occupants of both Front Benches, the course proposed to be followed in the case of the Civil Service Estimates was for the interest of the country. Was it for the interest of the Public Service that a second Vote should be taken on account, and that all consideration of the Estimates should be relegated to a period when there could be no possible opportunity for full discussion?

MR. ONSLOW asked, whether the Prime Minister would appoint a Morning Sitting on an early day for the consideration of the Indian Budget? He also wished to know whether the Parliamentary Oaths Bill was intended to be postponed until after the third reading, or when the Report of the Irish Land Bill was taken?

MR. ARTHUR O'CONNOR hoped the Prime Minister would give a satisfactory answer as to the course of Public Business to hon. Members who had just spoken above the Gangway. He considered the conduct of the Government with regard to Supply was deserving of severe animadversion. On Friday night last, the Government waited until 1 o'clock in the morning, and then, having two Notices on the Paper with regard to Supply—namely, the 1st and 2nd Classes of the Civil Service Estimates and the 10th Vote of the Army Estimates—the noble Lord the Financial Secretary to the Treasury intimated that it was a great deal too late to agree to the Civil Service Estimates at that hour. Now, these two classes, in their entirety, did not amount to so large a sum as the single Army Vote, which was for £3,500,000. This latter sum was voted when there were scarcely 40 Members present, although it seemed to provide for almost all the Military Administration, and amounted to nearly one-third of the total Effective Vote for the Army Service. The right hon. Gentleman the Secretary of State for War told the Committee that it was absolutely necessary that the sum should be voted at once. But it must be palpable to anyone acquainted with the facts of the case that such a representation was absurd—that before two months of the financial year had expired the War Office could require nearly one-half of the whole amount of the Military Estimates for the year. Yet, upon that representation of the right hon. Gentleman, the Committee was induced to vote a sum which made up a total of nearly £8,000,000 on account of the Army Estimates. He (Mr. Arthur O'Connor) and one or two hon. Members opposed this Vote upon the principle that it was unfair to the country and the House of Commons to bring forward as matters of urgency Votes on Account which at that time of the financial year could not possibly be required. He should to the utmost of his power always oppose the voting of public money in this manner. On the present occasion, therefore, he should ask Her Majesty's Government to give the House an assurance that they would not do what had so often been done before—namely, put off the Committee of Supply to the end of the Session, when nothing like serious discussion or examination of the Estimates would be practicable. He remembered the Prime Minister admitting, in his place, that he would be very glad to see the Estimates thoroughly canvassed, and that he did not think they had always received the attention which they deserved. It was perfectly useless to make observations of that kind if he so managed the Public Business that these Votes should not be brought before the House until the Session was nearly at an end. For these reasons, he joined the hon. and gallant Member for Maidstone (Captain Aylmer) in the representations he had made.

SIR R. ASSHETON CROSS said, the Prime Minister stated, at the beginning of the Session, that he proposed to take a Vote on Account for three months; but, upon his offering opposition to the Motion, the right hon. Gentleman consented to reduce the amount asked for to two months' Supply. At the same time, the right hon. Gentleman stated that in consequence of the pressure of Business, owing to the long debates on the Protection of Person and Property (Ireland) Bill and the Arms Bill, he would very likely have to ask the House to give another Vote on Account before he went into Committee of Supply. This Vote of two months' Supply was readily granted, and it was also understood that, under peculiar circumstances, the House would not object to the further demand which was now made. But he (Sir R. Assheton Cross) hoped it was clear that there would be no further Vote on Account after the present, and that the Government would, in the course of the next six weeks, bring forward the Estimates from time to time. He could not help thinking that it the Government put a little pressure upon their Friends on Friday evenings there would be no difficulty in making a satisfactory arrangement. The late Government had often been obliged to take that course. Again, it was very unsatisfactory that the Estimates should be brought on at so late an hour. It would be remembered that when the Army Estimates were proposed the Vote was granted on the understanding that the money was absolutely necessary for the Public Service, and that there would be an opportunity given for discussing the particular points which hon. Members had to raise, but which they did not then raise, upon the Vote. The late Secretary of State for War (Colonel Stanley) sat up to 5 o'clock in the morning, and, together with other Members of the late Government, assisted to pass the Vote. When the Vote came forward for discussion he trusted it would be brought on at an earlier time than on the last occasion, for it was almost needless to say that 5 o'clock in the morning was not a suitable hour to discuss Votes in Supply.

MR. GLADSTONE admitted that it was most unsatisfactory that Supply should be taken either at too late an hour of the night or at too late a period of the Session; but what were the Government to do? Two hours or more of every Government night were consumed by the Questions put to Ministers. Those Questions were, to a great extent, no doubt, a consequence of the extreme strain put upon private Members of late. But if the condition of private Members was bad, that of the Government was still worse. He could only say they would do the best they could under difficult circumstances; and he hoped that hon. Members opposite would call them to account if they did not make a judicious use of the limited resources at their disposal.

MR. GORST reminded the Prime Minister that in the early part of the Session two hours, at least, were wasted on each of three successive nights becaues sufficient Votes in Committee of Supply were not on the Paper, and Progress was reported very early.

LORD FREDERICK CAVENDISH said, that on the occasion referred to Progress was not reported till close on 12 o'clock, and then only because some of the Irish Votes had to be postponed, as they were likely to give rise to a lengthy discussion. It was often complained that Supply was taken at too late an hour.

MR. SCLATER-BOOTH pointed out that if time was wasted in putting Questions, time was also wasted by the ridiculous answers to those Questions.

MR. PARNELL asked the Prime Minister if he could not agree to leave the Vote for the Irish Constabulary out of the Votes, and so rescue those Irish Members who thought as he did from an exceedingly disagreeable position? His hon. Friend the Member for Longford (Mr. Justin M'Carthy) had a Motion on the Paper, amounting to a Vote of Want of Confidence in the Administration of the Irish Executive. There were questions of a very vital and grave character in reference to that Motion which he desired to bring before the House, questions connected with the administration of the money which they were asked to vote to-night. He supposed he should be told, if he objected to the granting of this £220,000 with which to buy buckshot for the Irish Constabulary, to be used in shooting down women, and children, and men in the West of Ireland, who were unable to pay the excessive rents required of them—he supposed he should be told he was obstructing the Land Bill. They could not give this money to the Irish Government without a protest, and he was convinced that public opinion in Ireland would cheerfully give up a day or part of a day from the Land Bill to finish the discussion on the Motion of his hon. Friend. It must be remembered that the Land Bill could not be passed for a considerable time. There were 1,500 Amendments on the Paper, and they had taken two whole days in discussing two of them. It would not require a very difficult calculation to ascertain, if two Amendments took two whole days, how many days 1,500 Amendments would take. Assuming that the Amendments remaining on the Paper were only to take a fraction of the time occupied by the two Amendments already disposed of, the Committee would admit that they must sit, in all probability, for two months before they could pass the Bill. In the meantime, the Irish people were to be exposed to all the horrors of what was very little short of martial law. The Prime Minister told them they dare not take a division on the Motion of the hon. Member for Longford; he did not think the right hon. Gentleman thought so now, and he did not think many hon. Members thought so. They had never shown any fear to take the opinion of the House when it was necessary or desirable. He believed every line of the speech the Chief Secretary made the other day could be answered. A friend, who had seen the hon. Member for Tipperary in prison, wired him as follows:—

> "Mr. Dillon wrote by last night's post to the Speaker complaining of being forcibly prevented from representing his constituents, and demanding an opportunity of repudiating the report of speech made by Forster about him. If possible, get Dillon's letter read to the House."

Now, consider what their position was. They maintained that the charges which had been made by the Irish Government against the 110 men who were now confined in gaol were libellous and calumnious, and this they could prove to the satisfaction of the House. They could prove that the class of men that the Chief Secretary said his Act was intended to arrest had not been arrested, and that all the persons who had been arrested were men of stainless character; they could prove that the class of men who had been arrested by the Government, so far from being village scoundrels and ruffians, were men of the highest respectability. What had been done in reference to his friend, Father Sheehy? The Chief Secretary did not scruple to suggest that Father Sheehy, an esteemed clergyman, against whom nothing had ever been brought, had been guilty of an act for which, had he really been guilty, he would have been unfrocked by the discipline of his Church. The Chief Secretary suggested that Father Sheehy had taken part in a violent and secret agitation, that he had induced an unlawful assembly, and had, therefore, become amenable to the law.

**The CHAIRMAN**: The hon. Gentleman is referring to a previous debate, and the next Order of the Day is one on which he could legitimately discuss this matter. I think he is not regular in discussing the question upon a proposal for a reduction of this Vote.

**Mr. PARNELL**, said he was endeavouring to urge upon the Committee and the Government the propriety of postponing this Vote until they had had an opportunity of finishing the debate and taking the judgment of the House upon the Motion of the hon. Member for Longford. No one would really begrudge the short time necessary for the purpose of finishing the debate; it could not have any appreciable effect upon the Land Bill, for it could not delay the passing of the Bill for more than a few hours. He feared, unless something was done in the way of relief much more quickly than was proposed by the right hon. Gentleman, trouble might come which might shake the whole of Christianity; they might fear a serious collision between police and people. At the present time counsels were being given which he had never given, and which he had from the commencement refused to sanction, and those counsels were that the people should refuse the payment of all rent. But if aggravation was to be piled upon aggravation, if the Government insisted upon turning a deaf ear to the complaints of an unfortunate people, if the Government compelled them to wait for several long and dreary months before the Land Bill could possibly become law, could they be surprised if the people listened to men who were more advanced, and if they sought protection in the only possible way open to them, and that was by starving out the landlands by refusing payment of all rents? He entreated the Prime Minister to relieve the Irish Members of the difficulty, and not to insist upon the Vote for the Irish Constabulary until an opportunity was afforded them of putting their case properly before the country, and this they would have on the Motion of his hon. Friend (Mr. Justin M'Carthy).

Question put, "That the Vote be agreed to."

**Mr. T. COLLINS** rose to Order. A Motion had been made to report Progress, and had not yet been withdrawn.

**Sir H. DRUMMOND WOLFF** said, he would be willing to withdraw the

Motion if he obtained a satisfactory answer from the Government upon the point he had raised.

MR. R. N. FOWLER said, of late the practice had grown up of reading to the House Notices of Questions. Questions, he thought, might very well be handed in to the Clerk at the Table. His chief object, however, in rising was to suggest that Questions, except on special occasions, should not be put on Government nights. Time was of comparatively little importance on Tuesdays and Fridays, and might be spent in Questions.

MR. T. COLLINS disapproved of the latter suggestion. It appeared to him that, inasmuch as the Government had deprived private Members of nearly all the time understood to be at their disposal, Questions ought to be put on Government nights only.

MR. GLADSTONE could not understand how it was said that the Government appropriated the greater part of the time of the House, for not only now, but for a long time past, three times as many Questions as formerly were put to Ministers, necessarily occupying a considerable time. The Vote now under discussion was simply to enable the Government to fulfil the obligations of the State in the shape of the payment of the servants of the State. When a Vote was required to cover the financial year, the whole subject could be discussed.

MR. ARTHUR O'CONNOR could not reconcile the statement of the Prime Minister with the fact that of the total cost of £915,000 for the County and Borough Police in Great Britain the Government only proposed to take £2,000, or 1-450th part; while besides £220,000 already granted for the Irish Constabulary, they now wished another £220,000, or more than one-fourth of the total Vote of £1,192,000.

LORD FREDERICK CAVENDISH explained that the smallness of the English Vote was owing to the fact that a large proportion of the cost of the English Police was paid out of the rates. The payments in England from the Exchequer were made provisionally; but the whole cost of the Irish Constabulary was paid by the Exchequer, and at once.

MR. HICKS wished to know why so many Orders were placed on the Paper? and referred to the great inconvenience private Members were put to by not knowing what Business would come before the House. As an instance, he mentioned that the Parliamentary Oaths Bill, which had been off the Paper, had now been put on again; and he asked what use it was for the Government to put down Notices which they had no intention of taking?

SIR H. DRUMMOND WOLFF expressed his willingness, after the explanation of the Prime Minister, to withdraw his Motion.

MR. PARNELL inquired how he could move to reduce the Vote for the Constabulary?

THE CHAIRMAN: By a Motion to reduce the whole sum.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Motion made, and Question proposed,

"That a further sum, not exceeding £2,321,300 be granted to Her Majesty, on account, for or towards defraying the charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1882."—(*Mr Parnell.*)

MR. HEALY wished to call attention to the arrest of a man named Murray.

THE CHAIRMAN: I do not see that that subject is properly before the Committee.

MR. HEALY: Can I raise it on the Vote for Prisons?

MR. ARTHUR O'CONNOR rose to a point of Order, and asked, whether, if the Vote was now taken, it would be competent to any Member to reduce it by the amount for Secret Service?

THE CHAIRMAN: It would be competent to an hon, Member to reduce the sum by a substantial amount for a particular purpose. It would not be competent to reduce an item. I do not see that this comes under the Prisons Vote.

MR. T. P. O'CONNOR wished to know whether it was necessary to vote this money then in the interests of the Public Service? If so, he could not understand the way in which the Government managed their Business. They brought on their Votes at a time when there could be no discussion, and insisted that they must be passed. Was it fair that the Irish Members should be asked to Vote £220,000 for a matter they had, over and over again, tried to get discussed? He did not wish to enter into a contest with the Government if he could possibly avoid it; but he must ask the Prime Minister to answer a question he had put earlier in the evening. The Vote of £220,000 raised the question of the policy of the Government in continuing to lend the Constabulary and the Military to assist in evictions; and he wished to know whether the right hon. Gentleman would, before the Whitsuntide Holidays, give the Irish Members an opportunity of discussing this question. If not, he was afraid they must continue the discussion.

Mr. A. M. SULLIVAN regretted that this Vote had been taken in the absence of the Chief Secretary, for it could not fairly be discussed in his absence. He would, however, ask the Attorney General for Ireland what the Government intended to do with those policemen who had scandalously abused the confidence and secrecy of the Census papers? Was the Committee to reward those policemen by giving this Vote? A police officer had admitted, in open Court, that, having got a correct Census paper, he took another paper to the man's house, under the pretence that the other was erroneously filled up; and so, on that lying pretence, obtained the man's signature to the second paper, in order to give evidence against the man in one of those miserable prosecutions now current in Ireland. He had told the Prime Minister that this was one of the things that would be done by Irish policemen more zealous than conscientious; and he wished to see whether there was an Englishman in the House who would defend such trickery, chicanery, and falsehood. What was to be done with the policemen who had acted in that way? What censure had been passed upon them?

Mr. HEALY wished to put a question to the Attorney General for Ireland upon the arrest of the man named Murray. He was told that that man was a thorough scoundrel, and he believed that everyone would approve of the arrest. He was a bailiff, and he was popularly supposed to have shot his employer, with whom he had had a dispute. The man was clearing out of the country in September or October, but he was arrested at Queenstown. What good did his arrest do? He was leaving his country for his country's good, and he could not see the advantage of keeping the man in prison for 18 months. The Government had not been able to get any evidence against this man, who was charged with attempting to murder his employer, Mr. Wheeler; and he was not arrested under the Coercion Acts. It was a good job for the Government that the Chief Secretary was absent. In dealing with the Attorney General for Ireland, Irish Members knew that they were dealing with a Gentleman in whom they had some confidence. If the Chief Secretary had been in his place they would have offered much more resistance to the Government. Before the Easter Recess, he had brought before the House the case of a man named Downey, who was arrested under the Coercion Acts, but who proved his innocence, and had to be released, after being kept in prison for three months. Why was that man arrested; and why did the Government, instead of making some inquiries, trust to the local police, and only set the man free when his case was brought before the House? If it was right to release him, it was wrong to arrest him; if it was right to arrest him, then it was wrong to let him out.

Mr. T. P. O'CONNOR asked when the House would have an opportunity of continuing the discussion on the Motion of the hon. Member for the county of Longford? There was no time to discuss the matter on this Vote, and, in order to give the Government time to consider when they could give an opportunity of resuming the debate, he would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. T. P. O' Connor.*)

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, that even assuming, for the purpose of argument, that one or two policemen in Ireland had done wrong, surely that was no reason for refusing the money for the maintenance of the whole force.

Mr. ARTHUR O'CONNOR was sorry to see the difference there was between the County Constabulary of Ireland and the Borough and County Police of England. It was said that this Vote on Account was for six weeks, and if they went into a calculation of the totals for the year they would find that the sum required was £150,000; but in this Vote on Account they were asked to give £220,000.

This was considerably more than they ought to vote, and he desired some explanation from the Government with regard to it.

LORD FREDERICK CAVENDISH said, that although the Vote was only for six weeks, it included two monthly payments; therefore, it was one-sixth of the total amount that was now asked for.

MR. JUSTIN M'CARTHY said, the Government had made no answer as to the resumption of the debate on his Motion. It was difficult to discuss the whole question of the Irish Police on these Estimates, and, as they had a distinct Motion on the matter before the House, they asked whether the Government would enable them to resume its discussion? If the Government did not afford them the opportunity they desired, they would be compelled to avail themselves of any irregular chance that might present itself for discussing the subject, or leave it undiscussed altogether. They could not possibly allow the Government Vote with regard to the Irish Police to go unchallenged, and they did not intend to.

MR. T. COLLINS would suggest that if the hon. Member wished to raise a discussion on this matter, the best thing he could do would be to put down his Motion for to-morrow, and then move that the other Orders of the Day be postponed until that Motion was disposed of.

THE MARQUESS OF HARTINGTON complained that the course the hon. Member who had just sat down had recommended would be most irregular. As to the appeal of the hon. Member for Longford (Mr. Justin M'Carthy), what had fallen from his right hon. Friend (Mr. Gladstone) had shown that he was anxious that the debate should be continued, and that the sense of the House should be taken upon it; but, believing as they did in the paramount importance, especially to Ireland, of the discussion on the Land Law (Ireland) Bill, they could not hold out any hope that time would be afforded for the resumption of the debate at an early hour in the evening. It had been hoped that the debate might have been resumed to-day. The discussion on the Land Bill was adjourned at 12 o'clock, and if the present conversation had not been so prolonged some further progress might now have been made. An opportunity had been afforded to hon. Members to make their charge against the Government, and the Government reply had been given. By that reply the Government were prepared to stand, and if hon. Gentlemen had desired to take the sense of the House upon it, they could have done so by complying with the request his right hon. Friend had made on Tuesday. Hon. Members, if they wished, might resume the discussion to-night, and, if they desired, they might take the sense of the House on the Motion. It was not at present in the power of the Government to name any convenient time for the resumption of the debate, and he really failed to see what useful end could be gained by involving the House in a conflict on the question of this Vote on Account.

MR. O'DONNELL said, it would seem that the enormous number of Amendments to the Land Bill standing in the name of Liberal Members was a perfect godsend to Her Majesty's Government, because, at every point at which their policy was challenged, whether at home or abroad, they took their stand on the alleged necessity for giving time for the discussion of these Amendments. He could not help thinking that there was some connection between the multitude of Liberal Amendments and the policy of Her Majesty's Government, and, instead of addressing so many appeals to that side of the House to abstain from discussing the affairs of their own country, the noble Marquess the Secretary of State for India and other Members of the Government should address themselves to their own followers, and request them to be more saving of their breath and of the time of the House in the discussion of their own Amendments. As for the suggestion that the Irish Members ought to be satisfied with the opportunity already given to them of discussing the Motion of the hon. Member for Longford, he thought it required all the proverbial impassiveness of the Secretary of State for India to enable the Government to place such an astounding proposition before the House. The way the Government facilitated hon. Members from Ireland in this matter was by forcing the Mover of the Motion to open the charge against the Chief Secretary and his subordinates at 4 o'clock in the morning. Then, indeed, he must frankly admit the Government did give him

(Mr. O'Donnell) an opportunity of contributing some observations to the elucidation of the Government case. Then came the Chief Secretary with a speech of two hours' duration, leaving about 30 minutes for exposing the monstrous tissue of misrepresentations which had been imposed upon that innocent and incredulous person. The Whips had issued their mandate, and the Government were prepared with their strong battalions. The bulk of the Liberal Party had only been present at the observations; but they were to snuff out the Irish debate by voting blindfold, in trust upon the observations of the Chief Secretary alone. Such a manner of treating Irish affairs was something like adding insult to injury. He would ask the noble Marquess to use some of his influence to induce a more economic use of time in the discussion of the Land Bill, so as to enable Irish Members to bring forward the very grave charges they had to bring forward against the Irish Administration. He was not aware what opportunity could be given for discussing the affairs of Ireland, if the noble Lord and those who acted with him persisted in encouraging their followers to take up the time of the House in unnecessary discussions on the Land Bill, to give the Government an excuse for shelving every discussion on every subject. There were a large number of Amendments, some of which were to the effect——

The CHAIRMAN: I must point out that the hon. Member is going beyond the Motion before the House. He is discussing the Amendment.

Mr. O'DONNELL said, he was sorry he had been misled, but he understood the Secretary of State for India had introduced the necessity for discussing the Land Bill. He (Mr. O'Donnell) did not wish to mention the words of the Bill, but only to say that the Government should not bring forward the Land Bill as a convenient extinguisher of every matter that was proposed for discussion. Repressive measures were working as badly as possible for the Government, and he could assure them that this Motion would remain hanging over their heads, and that, in season or out of season, they must have an opportunity of showing that the Chief Secretary had been imposed upon by a monstrous set of fabrications. As yet nothing but that monstrous set of fabrications had been laid before the House; and to say that "the sense of the House" could be taken on that was a mere juggling with words and paltering with the intelligence of the House. The noble Marquess should be reminded that the people of Ireland were not to be treated by the noble Marquess as he treated the Natives of India.

Mr. T. P. O'CONNOR wished to know whether the Government were or were not going to give them an opportunity of discussing the affairs of Ireland? ["No, no!"] [Mr. Finigan: Hear, hear! Excellent Radicalism.] He (Mr. T. P. O'Connor) heard replying to his question the voice of an hon. Member who had added little to his dignity by unseemly squabbling during the course of his election. He had put his question to the Government, and not to the hon. Member. Early in the evening he had informed the right hon. Gentleman the Prime Minister that they would not begin the discussion of the Motion of the hon. Member for Longford at 12 o'clock at night. They wanted an earlier discussion, and would have been perfectly prepared to go on with the debate at 10 o'clock if they had been allowed. The Prime Minister, the Secretary of State for India, and several other speakers on the Treasury Bench, had laid great stress on the decision of the House being given on this question. He might say, on his own behalf, and on behalf of several hon. Friends behind him, that they had very little regard for what the decision of the House might be. They were not so foolish as to suppose that their Motion of Censure against the Irish Executive would be carried in that House. They knew that, necessarily, they would be in a miserable minority; but what they wanted was a fair discussion, in which their side, as well as the Government side, of the question would be laid before the public of this country and the people of Ireland. What was the position of affairs at the present time? Why, the real speech which was before the country was that which the Chief Secretary delivered on Tuesday afternoon. The right hon. Gentleman ended his speech at 10 minutes or a quarter past 6 in the evening. The contested Business at these Morning Sittings had to be concluded at 10 minutes to 7, so that the Irish Members had only had from 10 minutes past 6 to 10 minutes to 7 to answer a speech of an hour and a-half in length. His hon. Friend then took up this question, which was entirely unconnected with the real question at issue, and the speech of the right hon. Gentleman the Chief Secretary for Ireland, carefully prepared, very ably put together, and characterized by his usual dexterity in putting his case, was allowed to go before the country without any reply on the part of Irish Members. The Government must understand that they would not be permitted to dismiss the House for the Whitsuntide Vacation until Irish Members had had an opportunity of giving a full reply to the speech of the Chief Secretary for Ireland. He did not wish to discuss this Vote at so late an hour if he could avoid it; but Irish Members could not allow it to pass without discussion, inasmuch as it raised the whole question of the Government policy in Ireland.

MR. JUSTIN M'CARTHY renewed the suggestion made to the noble Marquess that he should consent to take the Land Bill up to 10 o'clock on Thursday night, and allow Irish Members to go on with this discussion at that hour. The two hours that would be thus given would not be much time to take from the discussion on the Land Bill; and if the opportunity were afforded, Irish Members would have the satisfaction of knowing that their case had gone before the country. He trusted that this proposal, which was made with the object of arriving at a convenient settlement of the difficulty, would be accepted by the noble Marquess.

MR. CALLAN hoped the noble Marquess would not yield to the proposal of the hon. Member for Longford (Mr. Justin M'Carthy), inasmuch as the Land Bill was of far more importance than any other subject at the present time. He suggested to the Government that instead of having Morning Sittings on Tuesdays and Fridays, they should take the entire days until the Bill had been disposed of, and that the progress of the Bill should not be interfered with by the discussion of any other subject.

MR. HEALY remarked that, notwithstanding the solicitude of the Government to pass a Land Bill for Ireland, they had occupied the time of the House for six or eight weeks in discussions on Coercion Bills, and that, after applying coercion to Ireland in the most brutal manner, they would not give Irish Members an hour for the purpose of discussing the Motion of his hon. Friend. It was clear that the Government did not wish the speech of the Chief Secretary to be replied to.

THE MARQUESS OF HARTINGTON: I entirely acknowledge the courteous tone in which the proposal of the hon. Member for Longford (Mr. Justin M'Carthy) has been made; and if I thought it was possible to meet his wishes with regard to Thursday night, without seriously interfering with the further discussion of the Land Law (Ireland) Bill, I should be very happy to accede to a proposal so fairly made. But I wish to point out that the suggestion would, unfortunately, reduce the time which we should be able on Thursday to devote to the consideration of the Bill in Committee to perhaps two or three hours. It is too frequently the case now that we do not reach Committee until an advanced time in the evening; and if we are to adjourn the debate at 10 o'clock on Thursday, the day would be almost entirely lost for the purposes of the Bill. I must also point out that it would not be in the power of the Government to secure the object in view in that way. It frequently happens that when an important debate is proposed to be adjourned at an early hour, all sorts of opposition is raised to that Motion. Therefore, if we proposed to adjourn the debate at 10 o'clock on Thursday, it might be impossible to secure the opportunity desired by the hon. Member for Longford. If hon. Members from Ireland are really anxious that this debate should be renewed, I ask whether it would not be possible to renew it on Friday next? If so, Her Majesty's Government will do all in their power to induce Members, having Notices of Motion on going into Committee of Supply, to withdraw them, and would take measures for making and keeping a House in the evening.

MR. PARNELL thought the Government had made the best proposal in their power, and for his own part was perfectly willing to accede to it.

Motion, by leave, *withdrawn.*

Question put.

The Committee *divided*:—Ayes 18; Noes 185: Majority 167.—(Div. List, No. 222.)

Resolution to be reported *To-morrow,* at Two of the clock.

Committee to sit again upon *Wednesday.*

SUPPLY—REPORT.

Resolution [27th May] *reported.*

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

MR. ARTHUR O'CONNOR moved that the Vote be re-committed. The Vote, he said, was brought on at 10 o'clock on Saturday morning and it was represented by the right hon. Gentleman the Secretary of State for War that it was absolutely necessary that it should be taken, and that it was a Vote which might be passed without much discussion. As a matter of fact, this particular Vote required to be very carefully scrutinized and canvassed by the House. Year after year it had been rapidly increasing. In 1875-6 it amounted to £2,950,000; but that was a great deal more than was really required, inasmuch as at the end of the financial year the War Office had in their hands no less than £95,000. In 1876-7 the Estimate went up to £2,997,000, and again there was a surplus. The increase went on, and in 1877-8, including the Supplementary Estimate, the Vote was £3,188,000; but this sum was in fact exceeded by no less a sum than £282,000. In 1878-9 the Estimate, including the Supplementary, amounted to £3,800,000, and this was exceeded by £500,000. In 1879-80 the original Estimate was exceeded by £2,000,000. In 1880-1 the Estimate fell to £2,790,000; and now the sum asked for amounted to £3,500,000. Now, the War Office authorities had already obtained under Vote 1, £4,500,000. The present Vote would put them in possession of £8,000,000. The total of the Army Estimates for the year was about £16,000,000, and the right hon. Gentleman (Mr. Childers) wished the House to understand that it was absolutely necessary before the end of the second month of the financial year that one-half of the Army Estimates should be voted. It seemed to be perfectly impossible that the War Office could require that 50 per cent of the whole of the Army expenditure should be voted so early in the financial year. It was hardly reasonable that a Vote which covered almost every ground of Army administration should be taken at 2 o'clock in the morning. The Vote was for food, forage, fuel, and light, lodging allowances, field allowances, grants for home and abroad, besides miscellaneous sources—in fact, it was difficult to understand what part of Army administration might not be affected, at any rate, by the Vote. It was a Vote which might very properly provoke criticism; but the right hon. Gentleman the Secretary of State for War represented that it was just the reverse. Some Members in the House on Saturday morning expostulated; but the Secretary of State for War seemed to think it was exceedingly unreasonable of them to do so. The hon. Baronet the Chairman of the Public Accounts Committee (Sir Henry Holland) went so far as to suggest that the right hon. Gentleman should be content to take one-half of the Vote, and leave the other half as a ground for raising any criticism which might appear on some subsequent occasion to be called for. If the right hon. Gentleman had agreed to this suggestion, he (Mr. A. O'Connor) would not have raised a single objection. The noble Lord the Financial Secretary to the Treasury did not urge any of the Civil Service Estimates, on the ground that it was too late an hour. It seemed extraordinary that when it was too late to take the Civil Service Estimates, which in amount did not equal this single Vote, the Secretary of State for War should press on this Vote. When the Vote was brought on the Committee was scarcely in a mood to consider the Vote properly, and the consequence was there was a great deal of heated discussion, which did not conduce to the proper appreciation of the subject. Included in the Vote were a number of items which might fairly be criticized, especially under present circumstances. There were charges for the continuance of soldiers upon work which certainly Irish Members could not be expected to countenance. It was only fair the House should consent to have the Vote re-committed, to admit of proper discussion. He now moved that that course should be adopted.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "the said Resolution be re-committed,"

— (*Mr. Arthur O'Connor,*) — instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. R. N. FOWLER said, the hon. Gentleman (Mr. A. O'Connor) seemed to think the Vote was passed on Saturday morning after a short discussion. As a matter of fact, the discussion occupied from 1 o'clock to 5; and that, notwithstanding the importance of the Vote, could not be considered an inadequate consideration. After the long discussion on Saturday morning, and after a responsible Minister of the Crown, supported by his Predecessor in Office, had declared that it was necessary the Vote should be taken at once, it seemed unreasonable that it should be further postponed.

MR. BIGGAR said, the greater part of the Sitting on Saturday morning was occupied in discussing the Motion for Adjournment. On account of the lateness of the hour no report of the proceedings of the House could be made; and although, no doubt, a large majority of the Members were in favour of granting the money, it was not wise to set aside the established and very salutary custom which had heretofore been looked upon as almost the law of the House — namely, the custom of considering Votes of such large sums at an early hour of the evening.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Resolution *agreed to.*

### LAND LAW (IRELAND) [PAYMENT OF INDEMNITY, ADVANCES, SALARIES, EXPENSES, &C.].

*Considered* in Committee.

(In the Committee.)

*Resolved,* That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of any indemnity which may be given by the Land Commission, also the payment, out of moneys to be provided by Parliament, of sums required for advances or purchase of Estates, as well as of the salaries of Commissioners and others, and of the expenses incurred by the Land Commission, which may become payable under the provisions of any Act of the present Session to further amend the Law relating to the occupation and ownership of Land in Ireland, and for other purposes relating thereto.

Resolution to be reported *To-morrow,* at Two of the clock.

House adjourned at a quarter after Two o'clock.

# HOUSE OF LORDS,

*Tuesday, 31st May, 1881.*

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MINUTES.] — SELECT COMMITTEE—Stationery Office (Controller's Report), *appointed.*

PUBLIC BILLS—*First Reading*—Land Drainage Provisional Orders * (104); Local Government (Ireland) Provisional Orders (Bandon, &c.) * (105); Local Government Provisional Orders (Halifax, &c.) * (106).

*Second Reading* — Veterinary Surgeons (87); Local Government Provisional Orders (Poor Law) (No. 2) * (88).

*Second Reading* — *Committee negatived* — *Third Reading*—Customs and Inland Revenue * (98), and *passed.*

*Referred to Select Committee*—Stolen Goods * (86).

*Committee*—*Report*—Local Government Provisional Orders (Berwick-upon-Tweed, &c.) * (85).

## VETERINARY SURGEONS BILL.

(*The Lord Aberdare.*)

(NO. 87.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD ABERDARE, in moving that the Bill be now read a second time, said, that its object was to prevent the assumption of the title of veterinary surgeon by unqualified persons. It provided for the infliction of a penalty on persons practising as duly qualified veterinary surgeons without first having become members of the Veterinary College. It was not intended to interfere with persons who acted as farriers or treated cattle without professing to be veterinary surgeons.

*Moved,* "That the Bill be now read 2a." —(*The Lord Aberdare.*)

EARL SPENCER said, he was able, on the part of the Government, to support the second reading of the Bill. In some parts of the country there was a considerable deficiency in the number of trained veterinary surgeons. It was important in carrying out the Contagious Diseases (Animals) Act to encourage as far as possible the veterinary science; but beyond that he thought it was of the greatest possible importance that whilst they endeavoured to prevent the spread of infectious diseases amongst cattle they should try to mitigate the severity of the diseases themselves which were a source of very great loss to the farmers in this country. Every measure, therefore, that would have the effect of improving the position of veterinary surgeons would deserve their Lordships' support. He could not help thinking that some of the clauses of the Bill went rather further than they should. No doubt every person who assumed a title to which he had no right should be liable to some prosecutions; but he did not think if any person chose to consult a cow doctor, or anyone who presumed to have a knowledge of a certain cattle disease without being able to call himself a member of the Royal College of Veterinary Surgeons, that the law ought to object. Thus, in the 3rd clause, the words "or veterinary practitioner;" and, again, "or otherwise qualified practitioner" might, strictly construed, apply to many people qualified to practice veterinary surgery, but who could not under this Bill assume the title of veterinary surgeon. Subject to the objections he had indicated, and which could be amended in Committee, he would support the measure.

THE DUKE OF MARLBOROUGH said, he wished to point out that there was a very important body in Edinburgh called the Edinburgh Veterinary College, which had a large staff of Professors, and was thoroughly competent to give perfect and adequate instruction in veterinary science. When he held the Office he had the honour to hold in Ireland in connection with the late Government, they had frequently selected practitioners who had been educated at that College for the purpose of carrying out the provisions of the Contagious Diseases (Animals) Act in Ireland. They always had the greatest possible confidence in the diplomas given to persons educated in that College, and in no case had they found that they had acted improperly in appointing persons educated there. To all intents and purposes the gentlemen educated there were veterinary surgeons in the highest sense of the term; and he thought it would be a very sweeping enactment to say that no person should call himself a veterinary surgeon save and except those who had been educated at the Royal College of Surgeons in London. The noble Lord (Lord Aberdare) had not stated the reasons why he had excluded that College; and perhaps he would inform them now, before the Bill was read a second time, why he had taken that course. It seemed to him (the Duke of Marlborough) desirable that every precaution should be taken for the protection of the veterinary science, and for providing duly qualified practitioners; but he thought it would be sufficient if every person who called himself veterinary surgeon should put letters after his name indicating in what College he had been educated. The term veterinary surgeon was, no doubt, a source of some amount of pride and gratification to persons following the Profession; and he thought it would be unfair if they shut out such a scientific body as the Edinburgh Veterinary College from allowing its members to attach the title veterinary surgeon to their name.

LORD ABERDARE said, he would entirely concur in the objection if it were well founded; but he wished to point out to the noble Duke that this Bill had been brought in with the full knowledge and consent of the Royal Highland Society. The Charter of that Society was for the purpose of recognizing all the degrees already conferred by the Highland and Agricultural Society of Scotland. [The noble Lord here read an extract from the Charter, setting forth the object for which it was granted, and stating that an arrangement had been entered into with the Royal College of Surgeons in London that no diplomas should henceforth be given by the Highland Society.]

THE MARQUESS OF SALISBURY pointed out that there were two or three Colleges of this kind in Scotland, two in Edinburgh, and one in Glasgow, which were capable of giving diplomas. They were all under the Charter. It seemed rather hard to say that nobody except persons educated in a particular College should hold the title of veterinary surgeon. It was almost the same as saying that general practitioners who had not been educated in a particular College should not be allowed to call themselves doctors.

Motion *agreed to;* Bill read 2$^a$ accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 16*th of June* next.

## SCOTCH BUSINESS—LOCAL GOVERNMENT AND LOCAL TAXATION (SCOTLAND).

### OBSERVATIONS. QUESTION.

THE EARL OF MINTO, in calling attention to the subject of local government and taxation in Scotland, said, his reason for doing so was that the Prime Minister had, through the Lord Advocate, intimated that they had under consideration the propriety or expediency of proposing a very considerable and, indeed, a very radical change in the management of local affairs and local taxation in Scotland. The Lord Advocate had addressed a speech to the Scotch Members of the House of Commons, and also issued a Memorandum on the subject. Looking to these Papers, he must say a very considerable amount of information was afforded as to the amount of local taxation raised for various purposes in Scotland, and the proportion in which such local taxation was assisted by Imperial funds. It was well known that in Scotland local taxation generally fell on owners, whereas in England, he believed, it fell on occupiers. One of the points referred to by the Lord Advocate was that the system of subvention from the Imperial Exchequer worked badly, in respect that it produced a disregard for economy on the part of local bodies, and that a change in that respect might be very properly introduced. The mode suggested for carrying it out tentatively was that some tax might be set apart for the use of the local body, such as the dog tax or carriage duty, or some other tax. The question then was, which was the best mode of assisting local taxation? Was it desirable that owners should pay the rates, or that the occupiers should do so, or should one-half be levied on each of these classes? Another very important question was, whether personal property might not be brought in to share social and public burdens by being made to contribute, or whether personal property should claim exemption, as heretofore, from visits of the rate collector? As to the constitution of the Local Boards, very great changes were pointed to. It was suggested that a representative body should be elected, so that a more direct local action might be brought to bear on the matter of local taxation. These were the chief points. He would not trouble the House with any observations of his own on the subject, upon which he thought he had said enough to justify his bringing it before them, but would conclude by asking Her Majesty's Government, Whether they could communicate to this House, or to the Scottish members of the House, any information bearing upon or explanatory of their intentions, promulgated elsewhere, on the subject of local government and local taxation in Scotland?

THE DUKE OF ARGYLL said, he must express an anxious hope that the Government would give no hasty answer on this question. Some time ago, when he was a Member of the Government, he was wholly unaware that the Government had arrived at any conclusion as to a change in local or county government in Scotland. There had been discussions going on on this subject for some years, and he could not say that any general concurrence of opinion had been arrived at in Scotland as to any change in county government. The truth was, they were, in Scotland, very far before England in this matter. He would not say the Scotch system was absolutely perfect, or that it was incapable of amendment or of reform; but the system was one that worked extremely well, and he never heard any practical objection brought against it. His noble Friend (the Earl of Minto) asked the Government to communicate their intentions "promulgated elsewhere." He imagined his noble Friend referred to certain documents circulated to Scotch Members and to Scotch Peers during the last week, and which he had only an opportunity of reading that morning; but if he referred to those Papers, they were not Papers that "promulgated" anything whatever. One proposal to cease giving a subvention from the Treasury, and rather that some of the taxes should be relegated to the administration of local bodies was a plan that he had heard recommended for a good number of years, with regard not only to Scotland, but to England, and he apprehended that such a method adopted in Scotland would also be extended to England. With regard to the alleged economic results of such a plan, he did not himself quite see how this effect should be produced; but it was a large question affecting not Scotland only, but England. He quite admitted, however, that if the system of subvention being given to local bodies was to be entirely altered, it might become necessary also to alter their system of local administration. Their present system was this—that in all cases where the general ratepayers contributed to the local taxes, those local ratepayers were represented in the administration. For example, in all cases in which the tenants contributed to the local taxation as well as the landlord, the fund was administered by a body composed of both parties; where it was raised entirely from the owners, and not from the occupiers, the owners had the exclusive disposal of it. This was a fair proposition, but it would not be right that a mixed body should have the administration of a fund which came from the proprietors alone; and if the tenantry were desirous of having a share in the administration of such funds, they would also have to contribute. He very much doubted whether the occupiers of Scotland would desire to have any share in the disposal of those particular matters. This was rather a complicated matter, and involved large questions of principle, and he hoped his noble Friend would not announce on the part of the Government any formal scheme with regard to it, because he was sure the counties of Scotland had not made up their mind upon any scheme.

THE EARL OF CAMPERDOWN said, that the question of local government and taxation had been pressing for solution by Parliament; and he was glad there was reason to believe, from those Papers which had been circulated in an informal manner, that the Government had an intention of dealing with the question at no very distant date. If the Government elected to commence by dealing with that question in Scotland, Scotland had, he thought, neither any reason, nor would it have any desire, to complain. What Scotland did complain of in common with England was that for all purposes of Parliamentary Business and legislation the whole time of Parliament was occupied by the Representatives of one portion of the Kingdom, who would neither do Irish Business themselves nor allow other persons to do it, nor allow, indeed, Business of any sort or kind to be done; and hence it was that an important question like local taxation would have been pressed on the attention of Parliament over and over again. A subject which affected most vitally the interest of Scotland had to be introduced to the notice of Scotch Members by a meeting between the Lord Advocate and the Scotch Members in a tea-room, or some other hole-and-corner place, where they could collect together. Of that Scotland had some right to complain; but there was, with reference to this question, a suggestion which he should like to submit for the earnest consideration of the Government. It was beyond doubt that many local measures which had been passed by Parliament had been found, when submitted to practical test and operation, to be incomplete, inelastic, and incapable of adapting themselves to the particular wants of the various localities. The reason of this was not far to seek. It was because these measures affecting local interests had been drawn up by a central authority in a central office without adequate communication with the localities for whose benefit the measures were intended. He did not blame the central authority; but anyone who knew these facts could not but see that the attention of the central authority had in many instances been directed to the requirements of Parliament, and not so much to the wants of the locality for which the measure was destined. He hoped that in dealing with this question—if, indeed, the Government could propose to deal with the Local Government Question in Scotland—the Lord Advocate would keep this in mind, and that he would communicate, if not the principles, at all events the details of his measure, when the principles had been settled, to the local authorities, by whom he meant not only the Commissioners of Supply, but the various local elective boards which existed in Scotland. If the Lord Advocate took that course he would save himself a great deal of trouble and opposition in Parliament; and when his measure was introduced in "another place" he would find it would require much less revision and alteration.

THE EARL OF DALHOUSIE, in reply, said, that Her Majesty's Government, so far as he was aware, had no immediate intention of introducing so large a measure as the noble Earl (the Earl of Minto) appeared to contemplate. It was true that the Lord Advocate proposed almost immediately to bring in a measure into the other House of Parliament providing for an alteration of the Poor Law and an amendment of the constitution of the Parochial Boards. It was a measure based on the recommendations of a Select Committee of the House of Commons in 1871. Among other things, it proposed to give a more strictly representative character to those Boards than they now possessed, and in some respects extended the authority of the Boards; but with regard to local taxation, the Government had no immediate intention of dealing with it.

THE EARL OF MINTO asked if in the measure referred to it was intended to alter the method of taxation with regard to the Poor Law?

THE EARL OF DALHOUSIE was not able to say, not having seen the Bill, whether the incidence of taxation would be dealt with.

## PARLIAMENT — PUBLIC BUSINESS — RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

### QUESTION.

THE DUKE OF SOMERSET asked the Lord President of the Council as to the progress of the Bill for the Rivers Conservancy and the Prevention of Floods, and whether ordnance survey of the river basins could not be expedited, inasmuch as no works for the prevention of floods could be commenced, until the survey of these districts was completed?

THE MARQUESS OF SALISBURY said, he would take that opportunity of asking whether the Government would take some means to stimulate the publication of the 6-inch survey?

THE DUKE OF MARLBOROUGH inquired whether the River Thames would not be included in the Bill, because otherwise great injustice would be done.

EARL SPENCER said, Her Majesty's Government had made every endeavour to forward the Bill in the other House of Parliament. It left their Lordships' House on the 17th of March, and was read a first time in the other House on the following day. The second reading was proposed on the 31st of March; but the debate on that Motion was adjourned, and was resumed on the 2nd of April, when an Amendment to read the Bill a second time that day six months was defeated by a large majority. His right hon. Friend the President of the Local Government Board proposed to refer it to a Select Committee, which was not to take evidence, but only to consider the clauses. Since the 8th of April every effort had been made by his right hon. Friend to further advance the Bill; but Motions to stop its progress and the operation of the half-past 12 o'clock Rule had proved a great obstacle to his efforts. There were, at the present time, 11 Notices against its progress, some being Motions which were not calculated to assist the Bill—such, for instance, as Mr. Healy's Motion to add Mr. Dillon's name to the Committee. He could assure their Lordships that if the Bill did not become law in the present Session, the failure would be attributable to no want of interest on the part of the Government. In regard to the completion of the Ordnance Survey of the river districts, he admitted that it would be a great advantage that it should be completed. The Government would endeavour to secure for the river basins a priority, and he would make inquiry as to the possibility of carrying out the suggestion of the noble Marquess as well as the noble Duke.

## ARMY ORGANIZATION—MILITIA AND LINE BATTALIONS.

### QUESTIONS. OBSERVATIONS.

THE EARL OF GALLOWAY said, he rose to call attention to paragraph 173 on page 31 of the Report on Army Reorganization of the Committee assembled under General Lord Airey; and to ask Her Majesty's Government how the difficulty pointed out in that paragraph of converting a militia battalion into a battalion of the line without legislative enactment is to be met; and further, whether the opinion of the law officers of the Crown has been taken as to the legality of converting a man who has been enlisted under Act of Parliament as a militiaman in a particular regiment into a soldier of the line? He felt he ought to apologize for raising a military subject so soon after the discussion they had had in their Lordships' House. The changes, however, which were to take place were of a most violent character and would affect the whole Service; and he could not help expressing his regret that the Secretary of State for War had kept to himself all the information he had got, instead of communicating it to Parliament for consideration by the Members of both Houses. He hoped, however, that the Government would not press forward their scheme until a fuller opportunity were given for an expression of opinion by those affected by the scheme as to its probable results. He contended that, in reality, the scheme had been sprung upon them without the slightest previous intimation to those immediately concerned as to what was to be its general bearing.

The Earl of MORLEY said, he must confess that after hearing the noble Earl's speech he had some difficulty in understanding his Questions. The noble Earl asked how it was proposed to convert a Militia battalion into a Line battalion without an Act of Parliament? He could only give the answer which the noble Earl anticipated, and characterized as jocular—he knew not why—for he gave it in sober earnest. It had never been the intention of the Government to convert a Militia battalion into a Line regiment, or a single Militiaman into a Linesman. Nor had they any idea of altering the conditions under which Militiamen joined the Service, or to ask for an Act of Parliament to enable them to do so. The paragraph of Lord Airey's Committee's Report, quoted by the noble Earl, referred to the recommendation of the Localization of Forces Committee of 1872, that in time of war recruits should be enlisted for general service in the Line or Militia battalion of a sub-district. Such a measure formed no part of Lord Cardwell's scheme, nor was there any intention of adopting it now. The Line and the Militia would continue, as at present, to be distinct Services. It was quite true that some legislation would be necessary on some technical points; but that would not in the slightest degree affect the conditions under which the Militia Force was raised.

Lord STRATHNAIRN said, that nothing could be worse than the way in which opponents of the Army Organization scheme had been treated by the Secretary of State for War. He did not also think that the measure itself had been treated with the justice and the amplitude which the vital importance of its nature and the welfare and success of the Army demanded.

Lord ELLENBOROUGH said, he must protest against the careless manner in which documents in reference to proposed changes in the Army were prepared; and, as an instance, need not go further than a single item in the Book on the Table, in which appeared the pay given, or proposed to be given, to a superior non-commissioned officer exceeded that of the junior commissioned officers—by which the regimental sergeant-major would lose pay on promotion from the ranks. He must more forcibly, also, protest against the way in which irresponsible secret advisers of the Government sneered at officers of experience in regimental commands, their own experience being limited to some five years as a subaltern, and six months, or less, as a captain. Also, against the system by which both the Army and the Navy were placed under civilians, and the puerile way in which that House was treated on military questions, tending to, and resulting from, the system of jobbery that prevailed, which made the interests of the Army and the Navy subservient to political jobbery. He did not so much blame the Government as the system of jobbery which was due to the increased power in respect to patronage of the other House of Parment.

Earl GRANVILLE: I rise to Order. The noble Lord is using language which I do not think is proper with regard to "another place." I trust that the noble Lord will withdraw the expression he has used.

Lord ELLENBOROUGH said, he had no desire to say anything improper with regard to "another place." He found fault rather with the system than with the Government. He was, however, quite ready to withdraw the objectionable expression if it was the feeling of their Lordships that he should do so; but he submitted that the Government should take steps to render what he complained of impossible.

The Earl of FEVERSHAM said, he attributed the defects in our Army Organization to the fact that a civilian was, by the custom of Parliament, placed at the head of the Army.

The Earl of NORTHBROOK said, he thought that it was unnecessary he should apologize for being, as a civilian, at the head of the Navy. He could not refrain from protesting against what the noble and gallant Lord (Lord Strathnairn) had said in reference to the line which had been taken by his right hon. Friend the Secretary of State for War in "another place," because there was no foundation for the impressions entertained by the noble and gallant Lord. Their Lordships were now asked to reopen a question which had been discussed for several hours the other night, when ample opportunity was given for any noble Lord to address the House. Ample opportunity had been given to both Houses of Parliament for any discussion or Motion that might have been considered desirable with regard to the changes which were proposed. Those changes did not depend upon an Act of Parliament, but upon the Prerogative of the Crown; and there had been ample opportunity for moving an Address to the Crown, or taking any other steps which noble Lords might have thought necessary.

LORD CHELMSFORD said, that the second Memorandum, which it was stated would be laid upon the Table, making alterations in the first Memorandum, was not yet before their Lordships; and he thought it a little hard that, considering the changes would take effect on the 1st July, the military men of the House should have so short a time allowed for raising any points they might wish to bring forward upon it.

THE EARL OF MORLEY said, that the second Memorandum referred to changes in detail, and did not, so far as he was aware, affect the principle of the scheme in any way.

LORD DENMAN, as a matter of Privilege, called attention to that part of the noble and gallant Earl's speech in which he (the Earl of Galloway) alluded to *The Times* publishing the projects of the Government before they were laid before Parliament. He pointed out the great unfairness in not reporting the remarks of the noble Earl near him (the Earl of Powis), on moving for a Return on the subject of five years' inaction incapacitating a general from employment. He did not say this to curry favour with the noble Earl, though he had been a pupil of his friend Dr. Selwyn (late Lord Bishop of Lichfield), but in order that truth might be placed before the public. Their Lordships might reflect that if peace were to last for 10 years no one above the rank of a colonel now might be able to command a force. General Kavanagh had lately depicted the danger of shelving officers who, although old, might be far more active than their juniors, whilst invaluable by their experience. The retirement of colonels at the age of 55 was under consideration. He himself, three-quarters of a century old, was willing to compete with any of their Lordships in some athletic exertions or any struggle for the maintenance of truth, whilst he had known a man of 30 unable even to shave himself. No one could report their Lordships' debates without the leave of the House, and the Usher of the Black Rod had the right to give or withhold admission to the Reporters' Gallery, in the same way as the Speaker of the House of Commons could allot space to each journal. He (Lord Denman) had, on June 6, 1856, pointed out the power of the public even over *The Times*, and had never been fairly reported by that journal since, having a few words, seemingly not worth a report, attributed to him with his name. He did not care for being reported, but wished to see nothing reported but the truth.

After a few words from the Earl of GALLOWAY,

The subject dropped.

### CUSTOMS AND INLAND REVENUE BILL.

Read 2ª (according to order); Committee *negatived*: Then Standing Order No. XXXV. *considered* (according to order), and *dispensed with*: Bill read 3ª, and *passed*.

### STATIONERY OFFICE (CONTROLLER'S REPORT).

Select Committee appointed, such Committee to consist of five Lords, "to consider the First Report of the Controller of Her Majesty's Stationery Office."—(*The Lord Thurlow.*)

And, on June 2, the Lords following were named of the Committee:

E. Jersey.
V. Sherbrooke.
L. Clinton.
L. Thurlow.
L. Monteagle of Brandon.

And a message sent to the Commons to acquaint them that this House has appointed a Committee of five Lords to join with a Committee of the Commons "to consider the first Report of the Controller of Her Majesty's Stationery Office;" and to request that the Commons will be pleased to appoint an equal number of Members to be joined with the Members of this House.

House adjourned at Seven o'clock,
to Thursday next, a quarter
before Five o'clock.

# HOUSE OF COMMONS,

*Tuesday, 31st May,* 1881.

MINUTES.]—Supply—*considered in Committee —Resolutions* [May 30] *reported.*

Private Bill (*by Order*) — *Third Reading* — Stirling Water *, and *passed.*

Public Bills — *Second Reading* — Elementary Education Provisional Order Confirmation (Clay Lane) * [181].

*Committee*—Pier and Harbour Orders Confirmation (No. 2) * [161], *discharged*; Land Law (Ireland) [135]—R.P.

The House met at Two of the clock.

## QUESTIONS.

### VACCINATION ACT—CLAUSE 29—REMISSION OF FINES.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, If he has come to any decision in regard to the fines illegally imposed upon six persons (amounting with costs to 36*s.* 6*d.* each) at Warrington for refusing to have their children vaccinated, the conviction having been made under the 29th Clause of the Vaccination Act, while the children were from three to six years old?

Sir WILLIAM HARCOURT, in reply, said, in this case he had directed the fines to be remitted.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — KILMAINHAM GAOL — STOPPAGE OF LETTERS.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that a letter, dated 21st May, written by a Member of this House to one of the gentlemen in Kilmainham, was stopped because it contained a passage reflecting on the political wisdom of one of the members of the Government connected with the affairs of Ireland; and, whether he will state shortly some of the principles of censorship on which the governors of prisons are instructed to act, for guidance of the public in their communications; and, if not, whether he will cause the letter to be handed to the gentleman to whom it was addressed, and issue suitable instructions in future?

The ATTORNEY GENERAL for IRELAND (Mr. Law): It is the fact that a letter, dated the 21st instant, written by the hon. Member for Wexford, and addressed to Denis Hannigan, a prisoner in Kilmainham Gaol under the Protection of Person and Property Act, was stopped by the Governor of that gaol. The hon. Member will find the rules as to the writing and receiving of letters by such prisoners among the Regulations made by the Lord Lieutenant under the Act, and which have been laid before Parliament.

### THE ORDNANCE SURVEY—WARWICKSHIRE.

Mr. NEWDEGATE asked the First Commissioner of Works, When the enlarged ordnance map of the county of Warwick will be accessible?

Mr. SHAW LEFEVRE, in reply, said, that in consequence of the additional sum voted for the prosecution of the Ordnance Survey the survey for the county of Warwick would be commenced in the year 1885.

Mr. NEWDEGATE asked, whether there would be any objection to furnishing the House with a Return of the enlarged maps for counties, and also of the order in which they were intended to be taken?

Mr. SHAW LEFEVRE said, he had no objection to lay such a Return on the Table. Under the accelerated scheme of survey, he hoped the Survey would be completed in about 10 years. There must, of course, be some counties the survey of which would be undertaken later than others, and he was afraid that under the arrangement Warwick would not be one of the early ones.

### AGRARIAN CRIMES (IRELAND)—THE RETURNS.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to a Return, issued to Members on the 26th May, relating to Agrarian and other Crimes (Ireland), for the month of December 1880; whether Hugh M'Linden, the person named at page 17, in the Return for the county Wicklow, as having been injured on the 18th December last by the receipt of a threatening letter, is the person who charged Patrick Kelly, a respectable Catholic farmer, with having fired at him, and thereby caused his confinement in gaol for several weeks, the committing magistrate having refused to accept bail, though forthcoming to any amount, and the grand jury having subsequently found that the charge was groundless; whether this Hugh M'Linden is the same person who was himself recently committed to gaol for using violent threats to a witness in open court; and, whether he will inquire through the police into the character of this "injured person," so as to be able to inform the House that he is not a "mauvais sujet," and that the other ten cases entered in the Return, of intimidation by threatening letters, or notices or otherwise, are furnished on equally reliable testimony?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, Hugh M'Linden, the person referred to in this Question, is the person who charged Patrick Kelly with having fired at him on the 13th of December last. On the 14th of December, Kelly was committed for re-examination on the 8th of January, when bail was accepted. He was returned for trial at the Wicklow Quarter Sessions; but the Grand Jury ignored the bill. I am informed that Hugh M'Linden is a man of indifferent character, and in March last was committed for seven days at Newtown Petty Sessions for contempt of Court. There is no reason to doubt the accuracy of the information on which the cases of intimidation have been included in the Return.

## SOUTH AFRICA—SWAZI LAND.

MR. O'KELLY asked the First Lord of the Treasury, Whether his attention has been called to a letter published in the "Free State Journal," attributed to Sir Morrison Barlow, the British Agent in Swazi Land, and in which the writer alludes to a belief, on the part of the Boers, that a Swazi army was then waiting for his orders to "rush into the district (Transvaal) slay, burn, and destroy all and everything," and goes on to say—"There are few things would give me greater pleasure than to receive such an order;" and, whether, in case it shall be proved that Sir Morrison Barlow is the writer, Her Majesty's Government will take steps to remove him from a post in which he may endanger the peace of the Empire?

MR. GLADSTONE: Sir, I cannot answer the Question in detail; but I can acquaint the hon. Member of that which will sufficiently meet his purpose. This letter has been noticed by Sir Evelyn Wood. I believe that, as the hon. Member states, there is no doubt as to the authorship of the letter, and that, in consequence, Sir Evelyn Wood suggested to Lord Kimberley that leave of absence should be given to the gentleman who had written the letter. Lord Kimberley has acted upon that suggestion.

MR. PARNELL wished to know whether any further information had been received with regard to attempts to incite the Natives against the Boers in the Transvaal?

MR. GLADSTONE: Sir, as far as I am aware, no such attempts have been made. I feel very confident that we had not, up to last evening, received anything in the nature of authentic information on the subject.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881—JOHN RYAN OF MURROE.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If there was any charge against John Ryan of Murroe (who was arrested in March last), except trying to induce others to join the local Land League; and, if not, if he considers that sufficient grounds for detaining this young man any longer in prison away from his business and his family?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): John Ryan was arrested on reasonable suspicion of having, since the 30th of September last, been guilty as principal of the crime of intimidating a certain person with a view to compel him to join the Land League. This man's case will shortly come before the Lord Lieutenant for consideration, under the provisions of the Protection of Person and Property Act, and, no doubt, a just decision will be arrived at in reference to it.

## CRIMINAL LAW—CASE OF ARTHUR PAGE BETTINGHAM—CONVICTIONS FOR BETTING.

SIR WILFRID LAWSON asked the Secretary of State for the Home Department, Whether his attention has been called to the case of Arthur Page Bettingham, who, on May 21st, was fined twenty-five pounds and costs at the Solehill Police Court, for illegally betting, the evidence showing that the defendant shouted "three to one on the field," and took a shilling on Rochester and a shilling on Merryfield; and, whether the police have instructions to carry out the Law in a similar manner against any Members of this or of the other House of Parliament who may be found laying or taking the odds at the forthcoming Epsom Races?

SIR WILLIAM HARCOURT: Sir, my hon. Friend has rather misconceived the facts of this conviction. He seems to have assumed that the conviction in this case was for making bets. That was not so. The law on that matter was altered in 1845, when the old betting Acts were repealed. The law is now directed against persons who keep places for betting. In this case the conviction was for keeping a betting stand. He was proceeded against because he was the keeper of a stand for betting on the racecourse. My hon. Friend asks me whether I will cause similar proceedings to be instituted against Members of this or the other House of Parliament in case of such offences being committed by them. If my hon. Friend is able to assure me from personal observation to-morrow that any Member of this House has kept betting stands on the racecourse at Epsom, after looking at the law on the subject, I will, on receiving information of that character, consider what steps ought to be taken. I find that the use of a large umbrella constitutes a "place."

SIR WILFRID LAWSON asked, whether it was any offence to bet with the men who kept these stands?

SIR WILLIAM HARCOURT: That is a question of law upon which I should not like to commit myself offhand. All I can do is to refer my hon. Friend to the Act of 1845, repealing the Act of 18 *Geo*. II., which did inflict a penalty on betting of £10 or £20. I should not like to commit myself further than this. The Acts of 1853 and 1874 are directed against persons who keep places for betting.

## TUNIS—SUPPRESSION OF TELEGRAMS.

VISCOUNT FOLKESTONE (for the Earl of BECTIVE) asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government is aware that thirteen telegrams sent from Tunis by the correspondent of a London newspaper have been suppressed, by order, in Paris; if such action is not an infringement of the International Convention regarding telegraphic communications; and, if Her Majesty's Government is prepared to make any representations in the matter?

SIR CHARLES W. DILKE: Sir, no information has reached Her Majesty's Government beyond the report contained in the newspapers, and they are, consequently, unable to express any opinion on the subject. If the action mentioned in the newspaper paragraph had been taken, it is rather doubtful whether it would have been a violation of the International Telegraphic Convention. Article 7 of that Convention, which was concluded in 1875, and laid before this House in 1876, gives all Powers ability to stop the transmission of any private telegram which may appear dangerous to the security of the State. By Article 8 power is reserved to each Government to interrupt the whole system of telegraphs for an indefinite period—on condition, however, that the other Governments should be informed.

## ARMY—GRANTS FOR MILITARY SERVICES.

SIR H. DRUMMOND WOLFF asked the Secretary of State for India, Whether he will consent to lay upon the Table a list of annuities and grants of money awarded for special Military Services to officers of Her Majesty's Army, whether Imperial or Indian, since 1835?

THE MARQUESS OF HARTINGTON: Sir, so far as the India Office is concerned, there will be no objection to give a Return of all the grants made from the Indian Revenues. The India Office has no knowledge of the grants made from Imperial Revenues; but I will communicate with my right hon. Friend the Secretary of State for War, and ascertain from him whether there will be any objection on his part to make the Return. I will then communicate further with the hon. Member as to the form in which it should be moved for.

## INDIA—THE BHEEL TRIBES.

COLONEL MAKINS asked the Secretary of State for India, If it be true, as reported in the "Times" by telegraph, dated 29th May, from Calcutta, that the Government have concluded a Treaty of Peace with the insurgent Bheel tribes, and that among the principal provisions of the Treaty are the following:—The Bheels are not to be troubled on account of the Census; their lands are not to be measured; all who took part in the recent insurrection are to be pardoned; all the Bheels who were imprisoned during the last three years are to be released on payment of a proper ransom; half the Tisalu tax is to be remitted; no new police stations are to be established; the Excise Duty is to be abolished; the Bheels are to be allowed to levy black mail on travellers; whether such a treaty has been accepted by the Bheels, who thereupon dispersed to their hills; and, if such a description of the said treaty be a fabrication, if he can take any steps to prevent in future the infliction of such hoaxes on the public?

THE MARQUESS OF HARTINGTON: Sir, we have only received extremely meagre telegraphic accounts of the disturbances which have taken place in the Bheel country. The insurgent Bheel Tribes are not British subjects; but the disturbances appear to have arisen amongst some of the tribes which are subject to the Oudepore State. From the accounts we have received, it seems that the importance of these disturbances has been very considerably exaggerated. The last information that reached us was that the Oudepore Durbar appeared disposed to treat these tribes fairly, and to remedy any substantial grievances. It is extremely improbable that the British Agent would have concurred in any such Treaty as that alleged; but we have no full information at present. I think the hon. and gallant Member will see it is quite impossible that the Indian Government should exercise any supervision over the telegrams which are despatched from India to this country. Very useful and very accurate information is generally contained in them; but no doubt, in this case, the information furnished is extremely erroneous.

## WAYS AND MEANS—INLAND REVENUE —DRAWBACK ON MALT DUTY.

MR. EARP asked Mr. Chancellor of the Exchequer, Whether it is not the fact that great dissatisfaction has been expressed at the manner in which the claims of drawback of Malt Duty were met by the Inland Revenue Department; whether it has not been admitted by one of the heads of that Department that injustice has been done to traders by the method adopted in making the allowance; whether it is not the fact that in some cases the drawback was allowed to persons holding stocks of malt on the quantity shown by their books, and not by measuring or gauging, as provided by the Act; and, whether he will authorise a Copy of the Correspondence on the subject, which has taken place between the Department and the persons aggrieved, to be printed and placed before Parliament?

MR. GLADSTONE, who was indistinctly heard, said that he would endeavour to answer the Question of his hon. Friend as briefly as he could. Great dissatisfaction had been expressed by gentlemen whose opinion was of great weight; but it was a mistake to suppose that general dissatisfaction had been felt at the manner in which the Excise officers performed their difficult duties. He did not think that the proportion of those who were dissatisfied was more than 1 to 100. In saying that he intended no disrespect to those who were dissatisfied, but only desired to do justice to the Department. With regard to the supposed admission on the part of the Department, he found, unfortunately, that Mr. Ellis was out of health, and he had not been able to consult him on the subject. But the question would be examined hereafter. With regard to the third Question, there was only this foundation in fact—that some of the stocks of the great traders were taken in a particular manner, having regard to the fact that the malt was stored in large bins which it was difficult to test by penetrating to the bottom of the bins. The measurements were brought in and then the stocks were entered in the books. Thus the books were collateral and complementary evidence. He was afraid his hon. Friend would not be satisfied with the succinct answer which he was obliged to give. As to the production of the Correspondence which had taken place between the Department and the persons aggrieved, rather than lay it on the Table at the present moment he would suggest that, when the extreme pressure of Parliamentary Business had a little subsided, he would endeavour to make arrangements with the hon. Member, who took great interest in the question, for a personal discussion on the nature of the rules adopted in these cases.

### AFGHANISTAN—THE CIVIL WAR.

MR. ASHMEAD-BARTLETT asked the Secretary of State for India, If it is a fact that civil war has already broken out in the Kandahar district between Ayoub and Abdurrahman; that the immediate evacuation of the Pishin Valley has been ordered by the Home Government against the wishes of the Indian Government; that the Czar has by Imperial Ukase incorporated in the Russian Empire the whole Country of the Tekke Turcoman's, including Askabad, the furthest part of General Skobeleff's advance, notwithstanding the assurances of his Government that Russia merely intended to punish the Turcomans; that this Country is being colonised by Cossack and Russian immigrants, and that the railway from the Caspian to Herat is being rapidly advanced; that a deputation of Turcoman leaders is at present at St. Petersburg, and has promised fidelity and military service to the Czar, thus securing for Russia the aid of some 60,000 of the finest cavalry in the world?

THE MARQUESS OF HARTINGTON: Sir, it is a fact, as stated in the telegrams which have been communicated by the India Office to the Press, that skirmishes, apparently of an unimportant character, have taken place between the partizans of Abdurrahman and Ayoob Khan. But nothing has yet happened which differs very much in character or degree from the circumstances which have from time to time taken place in that part of the country during the occupation of Candahar by the British troops. With regard to the other Questions which the hon. Member has put to me, I must refer him to the Under Secretary of State for Foreign Affairs, as we have no official information at the India Office on the subjects to which he refers.

### PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — MR. DILLON.

MR. PARNELL: I wish respectfully to ask you, Mr. Speaker, whether you have received a letter from the senior Member for the County of Tipperary (Mr. Dillon) complaining that he has been prevented from coming to this House by his arrest when on his way here, and stating that in his absence he has been misrepresented in this House by the Chief Secretary to the Lord Lieutenant for Ireland, and asking for your intervention in order that he may be able to resume his duties in this House? I wish also to ask whether you have any objection to communicate the contents of the letter to the House?

MR. SPEAKER: I have to inform the hon. Member for the City of Cork that I received yesterday a communication from the senior Member for the County of Tipperary, and last night I answered the letter. With regard to the production of the communication or my answer, that is a matter for the determination of the House.

MR. PARNELL: May I ask you, Sir, to be good enough to inform me in what way I may obtain the opinion of the House as to the desirability of producing the letter, whether it would come on as a matter of Privilege, or in the ordinary way?

MR. SPEAKER: It would certainly not come on as a matter of Privilege. If the hon. Member thinks proper to move for the production of the Correspondence, that will be a matter for the House to determine. So far as I am concerned, I can see no objection to its production.

MR. GLADSTONE: So far as the Government are concerned, to whom reference is generally made on the subject of Returns, we make no objection to the production of the Correspondence, which may be moved for as an unopposed Return.

MR. PARNELL: Sir, I beg to give Notice that I shall move for it to-morrow.

MR. J. COWEN: When Mr. Bradlaugh sent a letter to you, Sir, complaining of his treatment by the House, that was regarded and dealt with as a matter of Privilege. And I would ask whether there is any difference between the two letters which renders this letter from Mr. Dillon incapable of being treated in the same way?

MR. SPEAKER: In answer to the hon. Member for Newcastle, I have only to say that I cannot consider that any communication whatever which Mr.

Dillon may think proper to make to me is necessarily a Question of Privilege, and to be laid before the House.

MR. T. P. O'CONNOR: I would ask my hon. Friend the Member for Newcastle whether he is not aware that Mr. Bradlaugh is an English Member, and Mr. Dillon is an Irish Member?

## *MOTION.*

### PARLIAMENT—PUBLIC BUSINESS—THE DERBY DAY.

MR. R. POWER said, he rose for the purpose of moving that the House at its rising adjourn until Thursday next. He was very happy indeed to find that there was to be no opposition to that Motion. [Sir WILFRID LAWSON dissented.] Well, at all events, the hon. Baronet who shook his head had not had the courage of his convictions. No Notice of opposition appeared in the Parliamentary Record; and if the hon. Baronet really intended to challenge his Resolution, in all fairness he ought to have signified his desire in the usual mode. Rashness was one of the failings of youth, and he (Mr. R. Power) feared it was his failing upon that occasion; for he had spoken so often upon that important subject, that anything he might then say would be tedious as "a thrice-told tale." He had, therefore, determined not to make a speech. [*Cheers.*] Really those cheers almost tempted him to break his resolve; but he would only make a few remarks. He vainly hoped that they might have been allowed innocently to enjoy themselves to-morrow without this miserable annual squabble. He thought that reason had at last dawned upon the obtuse mind of the temperance Baronet; and he believed that the constant beatings which the hon. Baronet had received for his misconduct upon these occasions would have had some effect upon him; but he found that he was absolutely irreclaimable—logic and argument were alike thrown away upon him, and he clearly proved by his conduct that Providence thought it necessary to inflict certain evils upon the human race. What did the hon. Baronet propose to do? He proposed to imprison the Members of the House on Wednesday, and also its hard-worked officials. Did not the hon. Baronet think that the hours occupied by the talk of hon. Members on the Liberal Benches—hours which sometimes extended to 4 or 5 o'clock in the morning—entitled the officials of the House to at least one day of rest and recreation? Never before had there been a Session notable for so few "counts-out." With regard to this question of "counts," however, he had acquired new hope now that that long lost child, the hon. Member for Knaresborough (Mr. T. Collins) had returned to the House. "Counts," he thought, would now become a little more frequent. He would remind the House that there had been an increasing majority on the question of adjournment over the Derby Day. In 1877 the proposal was supported by 207 Members, and last year by 285. They certainly deserved a holiday considering the arduous work which they had gone through in the present Session. They had been summoned at an unusually early period, and, judging from present appearances, they were likely to sit for an unusual length of time. They had, in the prosecution of their labours, turned day into night and night into day, and their zeal in the fulfilment of their duties had been such that he believed Her Majesty had no harder-worked subjects than Her faithful Commons. He contended that all Parties in the House would be benefited by a holiday on Wednesday, and they would return to their work in a better spirit and temper than had sometimes been exhibited. Anyhow, he could speak for his own Party on that occasion. For the Irish Members there had recently been nothing but interruption, Obstruction, Questions, and Amendments, coercion, and suspension. A Member of that Party hardly knew whether he was to be allowed to sit in the House, or whether he was to be consigned to a cell in Kilmainham. In fact, for an Irish Member there stood "a palace and a prison on each hand." After what he had said, no one could doubt that the Members of his Party deserved to have their physical and mental energies recruited by a holiday. If any further argument were needed to convince his Colleagues, he would remind them of the very remarkable and agreeable fact that when Plenipotentiary won the Derby in 1834, Mr. Batson made his tenants a present of one whole year's rent. He failed to see how any illustrious Colleague of his could possibly vote in antagonism to a race which had had so beneficial an effect. On the last occasion when the subject was brought forward, 42 Irish Members, who constituted all that was enlightened and intelligent among the Representatives of Irish constituencies, supported him, and only 10 foolish Irishmen, consisting of eight barristers, one clergyman, and one major, voted against him. Of course, the wants of their small Party went for little in the decision of that House; but then there were Her Majesty's Ministers, who deserved a holiday as much as any schoolboys in the country. Their troubles were not confined to that House, but extended all over the world, from Constantinople to Afghanistan, from Afghanistan to the Transvaal, from the Transvaal to Ireland, and from Ireland back to Northampton. He did not say that all the Members of the Government were entitled to a holiday on Wednesday, for there were drones as well as bees in the Government hive. But, at any rate, there was one right hon. Gentleman whom all would agree had earned the right to a holiday—he referred to the Chief Secretary to the Lord Lieutenant. The number of speeches he had had to make, the number of attacks he had had to repel, the number of explanations he had had to give, the number of Questions he had had to answer, was quite sufficient to muddle the brains of any ordinary mortal, and if he was to get through the remainder of the Session with safety to himself and benefit to his Party he had better enjoy himself to-morrow on the Epsom Downs. Men of all stations, creeds, and classes, shared alike this sport. Epsom was a neutral ground where all religious and political differences were buried. He only wished they had some such burial-ground in Ireland. To show how the love of this sport permeated all classes, he might just mention that on the race-course at York there was a celebrated spot known as "The Archbishop's Corner," where the grandfather of the present Home Secretary, in defiance of all canon law, hid himself in some bushes in order to see the winner of a big race. He hoped the right hon. and learned Gentleman inherited not only the fortune, but also the sporting proclivities of his grandfather, and that he would find himself at the Derby to-morrow. The hon. Baronet opposite thought it derogatory to the dignity of the House to adjourn for a horse race. Well, he was sorry to say that recent events had cast some doubt upon the existence of that dignity; but he would remind his hon. Friend, if he had ever read Roman history, which by-the-bye he very much doubted, that the Romans, who could not have been insensible to considerations of dignity, never met in the Forum when there was a race in the Circus. The ancient Britons, as soon as they became civilized enough, stamped their coins with equine subjects, and King Athelstan set such store upon horses that he prohibited their exportation except as presents. In his Derby Day speeches the hon. Baronet was accustomed to sneer at those who went to races. He called them "bawling blackguards." Well, that was scarcely a generous phrase. [Sir WILFRID LAWSON: I applied it only to professional betting men.] It might be extended to others besides betting men. The loudest bawler and the biggest blackguard he had ever met in his life was a gentleman who was a paid temperance lecturer, and who died of *delirium tremens*. His hon. Friend's great argument was—"Let those go to the Derby who will, and let the rest stay at home and transact Business." But the Select Committees were largely composed of betting men, and both in the Committees and in the House it would be found that the statesman-like majority would go away, and the crotchetty and chimerical minority remain. He really thought that if the hon. Baronet had his way he would keep them all in the nursery and sustain them with Zoedone. He forgot the lines of the celebrated poet—

> "The man who hath no soul for racing,
> Is only fit for treasons, stratagems, and
> water-drinking."

The hon. Baronet said he was thirsty for work; but this inordinate appetite for work was not natural or healthy in man, and he would find that the most sober-souled individual must sometimes enjoy himself. He (Mr. R. Power) knew they would hear a great deal about "conscientious objections" to an adjournment over the Derby Day. Well, he did not say that a conscientious man might not be a good man; but conscientious men were generally very troublesome as legislators, and inconvenient as friends. He would remind the House that the Derby race was entitled to respect on the score of antiquity. It was over 100 years old, and it had been sanctioned by the House of Commons for 34 years; and he doubted very much whether the Puritanical spirit was yet strong enough to prevent the Legislature from giving its countenance to an ancient and noble pastime. No sane man could have any hesitation as to the vote he should give. On the one side, they had fresh air, healthful excitement, and the indescribable pleasure of seeing the noblest horses in the world coming round Tattenham Corner and making for the winning-post amid the shouts of thousands. On the other side, they had bad air, dull repetition, and tiresome talking, and did no good either to themselves or to the country. He had forgotten that he promised not to make a speech, so he should conclude as he once heard a celebrated preacher wind up an eloquent discourse—

> "Remember, my brethren, this is not a sermon I have been preaching to you; it is only the truth I have been telling you."

The hon. Member concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed, "That this House, at its rising, do adjourn until Thursday."—(*Mr. Richard Power.*)

Sir Wilfrid Lawson was about to speak, when——

Mr. WARTON rose to Order. He submitted that the hon. Baronet was not entitled to be heard. It was one of the Rules of the House that no Member should address the House on a subject in which he had a pecuniary interest—[*Cries of* "Oh!"]—and the hon. Baronet, he understood, had been betting on the result of the division. [*Cries of* "Oh!"]

Mr. SPEAKER: I can only regard the observations of the hon. and learned Member for Bridport as trifling with the House.

Mr. WARTON, who rose again amid interruption and cries of "Name him!" said, he could assure Mr. Speaker it was nothing of the kind. The right hon. Gentleman could not have heard what he said. ["Order, order!"] He stated, and now repeated the statement, that he was informed the hon. Baronet had been betting on the result of the division. ["Oh, oh!"]

Sir WILFRID LAWSON said, as the Speaker appeared to have overruled the objection of the hon. and learned Member for Bridport (Mr. Warton), he should proceed to give a few reasons why he could not agree with the Resolution. He admired the entertaining speech of his hon. Friend the Member for Waterford; but it only wanted one thing — namely, a little argument. He gave no reason why that House should adjourn for a horse race except that the Romans used to do so. That was surely a poor argument to use in a Christian Assembly. He (Sir Wilfrid Lawson) thought it was an argument in his favour when in such an Assembly his hon. Friend was obliged to go back to a heathen assembly for a precedent. Last Friday he had read in *The Morning Post*, which was one of the organs of sweetness and light, the following sentence:—

> "The Motion for the adjournment over the Derby will be moved, and Sir Wilfrid Lawson will oppose the Motion, and, if need be, take a division. He will be supported by the section of Radical Nonconformists below the Gangway, who object to adjournments on Saint days, Derby days, and all that sort of thing."

He did not, however, put the Derby at all in the same category as Saints' days. He objected to it on the ground of common sense and national morality; and if he could not maintain his stand on those grounds, he hoped the House would vote against him. What did the hon. Member for Waterford mean by saying that the Derby adjournment was a time-honoured institution? It was introduced only 34 years ago by Lord George Bentinck, and he used to carry it by narrow majorities. But there were Radicals in those days. The right hon. Gentleman the Member for Birmingham was a Radical then, and he and Mr. Hume used to fight Lord George Bentinck on his Motion. Of course, the adjournment got to be an habit, as evil things unfortunately did, and by-and-bye Lord Palmerston, on behalf of the Government, took it out of the hands of private Members. But that happened only 21 years ago, and then, as time went on, some of the Radical Nonconformists and disreputable people below the Gangway protested against the adjournment, and at last, to the honour of the present

Leader of the Opposition in that House, who saw that the proceeding was altogether contemptible, he declared that the Government would never bring forward the Motion again, but would leave it to the Member for Waterford. It was not a time-honoured practice, but an excrescence on their proceedings. What happened last year? When the Motion was made, the Secretary of State for War jumped up and said there was no Business on the Paper for Wednesday, and that if the House met the Speaker would have to sit in the Chair from 12 to 4 o'clock, looking at an empty House and with no Business to be done. It was the favourite argument for the adjournment that no Business was put down for the Derby day. But why was that so? Because everybody said—"It is no use putting down anything on the Paper—the House is sure to adjourn." Then, when an empty Paper appeared, it was said—"The House may as well adjourn, because there is nothing on the Paper." On this occasion, however, they had got rid of that difficulty. He saw that there were no fewer than 14 most important Bills put down on the Paper for to-morrow, and, strange to say, out of the whole number only two happened to be Irish Bills. Therefore, they would be very happy indeed if his hon. Friend and all his Colleagues would go the Derby to-morrow.

Mr. R. POWER asked, what was the first Bill for to-morrow?

Sir WILFRID LAWSON, said it was a peculiarly Irish Bill—it was about lunacy. Strange to say, there was only one Drink Bill among the 14; but there were three Ecclesiastical Bills. One was about churchwardens, one about Church Boards, and then there was the very important Bill of the hon. Member for Mid Lincoln (Mr. E. Stanhope) as to Church patronage, and he hoped that the hon. Member would not be seduced by his Colleague (Mr. Chaplin) to visit the Derby instead of attending to that important measure. That constituted a pretty good list of Bills, and it showed that they might be better employed to-morrow than in all going to the Derby. His hon. Friend the Member for Waterford said they had met unusually early this year, and so they had; but then it must be owned that they had done unusually little, although there never was a Session requiring them more to attend to their work. His hon. Friend told them that last year he had opposed that Motion on Sabbatarian grounds; but surely nobody but an Irishman could suppose that the Derby was run on a Sunday. His hon. Friend had the modest assurance to come down there and say that the House wanted a rest; and he made an appeal *ad misericordiam* to the Speaker and the officers of the House. Now, he was there at 5 o'clock last Saturday morning; and who, he might ask, was the leader of those who kept them out of their beds up to that time? Why, his hon. Friend who now professed so much anxiety for the ease and comfort of the Speaker and the officers of the House.

Mr. R. POWER asked the hon. Baronet to remember that on Saturday morning he appealed to his hon. Friend to give way.

Sir WILFRID LAWSON believed that at half-past 4 in the morning his hon. Friend made such an appeal; and he admitted that his hon. Friend was not quite as bad as some of his Colleagues. To show that he quite realized that need of rest on the part of the Irish Members, he would tell the House what he had heard of the hon. Member for Cavan (Mr. Biggar). He was told that at the end of a long week of obstruction the hon. Member went to a church on Sunday, and, quite excusably, he fell asleep. Suddenly, by some peal of the organ, or by some loud expression of the clergyman, the hon. Member woke up, and, on looking round and finding but a few persons in the church, he rose and said—"Mr. Speaker, Sir, I move that the House be counted." Now, he objected to the adjournment over the Derby Day, because he said there was not a national feeling on the question; and the House ought not to take such an exceptional step save in a genuine national matter. Many people, whose opinions were worth considering, objected to the system of racing, and thought the House ought not to sanction it. The hon. Member for Mid Lincolnshire (Mr. Chaplin) last year cited to the House a long list of Dukes, Marquesses, and Earls, to show that racing was supported by very good men; of course it was, but a thing was not made good simply because it was supported by good men. Every evil that had maintained itself in this country had maintained itself because good men had supported it. An evil system would fall at once if it lost such support. Mr. Wyndham, the very soul of chivalry and honour, had supported bull-baiting; John Newton, the head of the Evangelical party in his day, was a slave-dealer; and they all knew, in regard to the drink traffic, that the best men in the world carried it on. If all the Dukes in the House of Lords, and all the Bishops on the Episcopal Bench, supported the Derby, that would not make it right. They must judge the thing on its merits, and they were very clear. The system of the Turf did more harm by way of demoralization than it did good by the amusement it afforded. One of the papers had attacked him on this matter in a poem, and what did it say?—

> "Hence of late years the sport has well-
> nigh flown,
> The vices have it almost all their own."

That was from an enemy; but he could give them a better quotation. In the very last book written by the departed Leader of the great Party opposite there was this passage—

> "There was one subject on which Mr. Rodney appeared to be particularly interested, and that was racing. The Turf at that time had not developed into that vast institution of national demoralization which it has now become."

If the Conservative Party regarded their late Leader, that passage ought to have weight with them. Instead of making a speech he ought, perhaps, only to have quoted those words. He said that the tendency of racing was bad, and that it ought not to be supported by the House. It had a bad effect on the people who supported it. That was seen even in the case of the hon. Member for Mid Lincolnshire, who, although he was a member of a Diocesan Conference, had to be reproved by his Bishop because, led away by his love of racing, he had consented to act as steward of a steeplechase on Maunday Thursday. How did they look at other countries? What a fuss they made if they saw anything wrong in any other country. He had received a circular from a body which called itself an International Association, at the head of which was the name of the Lord Mayor of London. He did not know whether his right hon. Friend was now in the House. He ought to be there, for he was sure that he was genuine in all his movements, and was earnest in his convictions. The circular referred to the gambling-tables of Monte Carlo, and said—

> "The ruin and misery entailed on numbers of our fellow-creatures through the gambling-tables of Monte Carlo demand that an organized effort should be made for their suppression."

But what was the difference between rolling balls over green cloth and running horses over green grass? It was all gambling. It would be a great deal better if they took the beam out of their own eye, and then they would see more clearly to take the mote out of their neighbour's eye. "That which thou doubtest do not." If there was a shadow of suspicion that horse-racing was not the most honourable thing in the world let them not sanction it. They acted now-a-days upon "reasonable suspicion." If they had reasonable suspicion that a man in Ireland was disloyal they clapped him into prison. If they had reasonable suspicion that a Member of that House was not orthodox they expelled him; and if they had reasonable suspicion that to adjourn for a horse-race was not a dignified proceeding let them not do it. They would stand in a better position before the country if they were to act with self-denial and give up a little of their own amusement for the general good.

SIR WILLIAM HARCOURT said, he only rose to make an appeal to the House. They had had two most excellent speeches, representing both sides; they had met to transact very serious Business. If they were to take one day as a holiday, let them not lose another. Every hon. Member must have made up his mind as to his vote, and he would now ask the House to go at once to a division.

Question put.

The House *divided*: — Ayes 246; Noes 119: Majority 127.—(Div. List, No. 223.)

## *ORDER OF THE DAY.*

### LAND LAW (IRELAND) BILL.—[BILL 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [FOURTH NIGHT.]

[*Progress 30th May.*]

Bill *considered* in Committee.

(In the Committee.)

## PART I.

## ORDINARY CONDITIONS OF TENANCIES.

Clause 1 (Sale of tenancies).

MR. RAMSAY, in rising to move, in page 1, line 8, after the word "applies," to insert "the annual rent of which does not exceed thirty pounds," said, in deciding as to this Amendment it was right that they should consider what the general object of the Bill was. He had listened with much attention to the views of the Prime Minister when he introduced the measure, and he thought that the Amendment which he now proposed was not in contravention of any leading principle of the Bill. He understood that the Bill was introduced by its promoters for the purpose of interfering to the least possible extent with freedom of contract between the owners and the occupiers of the soil; and he thought they only required, in judging what should be done, to consider what was the cause of the discontent and the disaffection in Ireland, and the misery and distress of her population. He felt that anyone who had considered the merits of this question must feel that the people of Ireland were entitled to much sympathy and respect. He had heard the hon. Member for Mid Lincolnshire (Mr. Chaplin) denounce the legislation of the English Parliament, when they had succeeded in destroying the industrial resources of Ireland and the development of her manufactures, and preventing the application of the intelligence and energy of the people to any other occupation than the cultivation of the soil. Now, that he held to be the true cause of the necessity for the present legislation, and he felt that everyone who was acquainted with the subject must recognize the accuracy of his opinion on that point. They had occasion last year to legislate for the distress and destitution from which the people of Ireland suffered, in consequence of the bad harvest of the previous year. Now, he could not conceive that anyone acquainted with the condition of farms could be in doubt as to the cause of the destitution amongst the Irish people. It was nothing that legislation had done during the present century. It was the legislation of previous centuries that was responsible for that, and they were now suffering because of the iniquity of their forefathers. He admitted the accuracy of that view, and he appealed to the friends of the Irish people to recognize the fact that no change in the tenure of land, and no change in the ownership of the land, could affect the permanent welfare of the Irish people so long as there was a greater number of persons depending exclusively upon the cultivation of the soil for their existence than the cultivation of the soil was fitted to support. That observation might, indeed, be held to be an axiom? What were the real facts of the case? There were, at the present time, 660,000 holdings in Ireland; and from a Return presented to the other House which he had obtained of the occupations he found that there were 286,957 occupiers within the distressed districts scheduled by the Irish Board of Works each holding land under £15 rent. The number of holdings did not necessarily determine the number of occupiers; but, on the contrary, the number of occupiers was less than the number of holdings. In the distressed districts, he found there were 306,000 of these occupiers in 1879, the rent of whose occupations was under £20 in each case. Thus, no one acquainted with the management of land and with the amount of produce it could yield would fail to realize what was meant by such a number of families as these 306,000 occupiers expressed in the distressed districts of Ireland. These were not the whole of the occupiers of Ireland who were under £20, but only the families who were within the districts scheduled by the Board of Works, because of the distress which prevailed in those districts. He called the attention of the House to the recognition of the fact that this implied that 1,500,000 persons in Ireland were placed in circumstances in which destitution must have been continually staring them in the face, which circumstance could not but cause that discontent and disaffection which at present characterized that country. He had heard Gentlemen in that House refer to the fact that to the lack of industry on the part of the Irish people could be attributed in great part the cause of the distress that prevailed among them. He held that there was nothing so unjust as an imputation of that character against the Irish people. He believed they would not be able to find on the face of the earth a people placed in similar circumstances who had developed so many virtues as the Irish people. It was not in human nature that men who were constantly living in circumstances not free from the risk of seeing their families destitute at any time should have developed energy and industry in prosecuting the means of subsistence. And as to the so-called land hunger, which was said to be one of the grievances of Ireland for which Parliament had now to provide redress, he held that it was not land hunger, properly so-called, at all. The people of Ireland, when they went to other countries, did not show any special liking for the cultivation of the soil. In the United States, the Irish people dropped the cultivation of the soil and engaged in trade and commerce; and a large number of them, having left the small homes of their ancestors and gone to America, found that they were able to embark in trade and commerce with success. Many of them fought their way upward, and became eminent men in all the cities of the United States. Well, for these evils they were to provide a remedy, and as such he regarded this Bill; otherwise he would not have voted for it on the second reading. He regarded it as an honest attempt on the part of Her Majesty's Ministers to do something for the people of Ireland. But what were they to do? He conceived that freedom of contract, which was a very desirable thing in itself, and for which he had always contended, was not applicable to the circumstances of the people who were small occupiers of land in Ireland. The men were in such circumstances that, when the landlord came round and said they had to pay a certain amount of rent, they were ready to agree to any terms he was pleased to name, not because they had any liking for the cultivation of the soil, but because they saw no other source from which they could obtain subsistence for their families. It was truly, indeed, a struggle for existence on the part of the Irish people that drove them to stick to the land as they did, and nothing else. It was not any hunger for the land itself. In dealing with the question, he thought these facts showed they ought to restrict the operation of the Bill to the classes whose circumstances were such as to require the protection of Parliament; and he, therefore, proposed that this clause should apply only to holdings the annual rent of which did not exceed £30. It was not the £50 tenant, however, that he specially cared about, because, in his judgment, he was just as independent as the man in any other part of Great Britain who occupied land of the same value, or who was a tenant of £100 or £150; and it would be held to be a mockery to give such a man compensation. He did not wish to take anything from anyone which they at present enjoyed, and hon. Members would see an Amendment on the Paper in his name, which provided—

> "That nothing in this Act shall . . . . in any respect restrict or impair any right or privilege to which any tenant is now entitled under the foresaid custom or usage, whether the rent of the tenancy be greater or less than the amount of the rent herein specified."

If they were to go beyond that, he held that, so far from doing good to the class especially considered, and who were really suffering so much, they would do an injury. Indeed, it seemed clear to him that if they were to give to the occupiers holdings less than £15 of annual value, they would do them no good, even supposing they were to make them fee-simple holders of the soil without money or price. If that were the case, it might be asked what good was expected to be done in confining the operation of the Act to those under £30? There was one way in which good might be done. The Prime Minister, in introducing the Bill, consented to embody in it the principle of compensation for disturbance. That he held to be a most important feature in it, for by it it was proposed to confer upon those who were in a state of destitution seven years' value of the holding for the purpose of providing them with the means of going elsewhere; and he believed they would avail themselves of the privilege for the purpose, not of emigrating, but of migrating. The state of distress in which the poorer tenants were had been brought about naturally, and it never could be otherwise so long as there was a larger number depending upon the soil than the soil was capable of supporting. He was not arguing in favour of taking away anything from the rights and privileges that were at present enjoyed; but he did not think that if the Amendment were adopted it would interfere in any way with the passage of the Bill or tend to diminish its usefulness. Nor would the Amendment in any way tend to lessen the rights and privileges of those who paid a rent above £30; but it would render it certain that those who paid £30 would have the advantage of the Bill. He did not know whether it was generally known, because it was not at all times recognized, that the Amendment he suggested would reach more than nine-tenths of the farmers of Ireland. There were in all about 600,000 holdings occupied by about 500,000 occupiers, and there were 356,000 of these occupiers, within the distressed districts, who had suffered greatly from the bad harvest of the last few years. He trusted that Her Majesty's Ministers might see their way to accept the Amendment, and if they did he believed they would not lessen the benefits conferred by the Bill, but, on the contrary, that they would increase the prospect of the measure being acceptable to all classes, and would confer permanent good upon the Irish people. He, therefore, begged to move the Amendment which stood in his name upon the Paper.

Amendment proposed,

In page 1, line 8, at the end of the previous Amendment, to insert the words "the annual rent of which does not exceed thirty pounds."—(*Mr. Ramsay.*)

Question proposed, "That those words be there inserted."

MR. BIDDELL approved of the Amendment, because it limited the operation of an unwise clause which, as it stood, might be a good clause for the present generation of tenants; but he thought they were bound to look to the probable operation of the Bill as regarded the tenantry beyond the year 1881, and to see how it would be likely to operate, say, in 1901. What would they find then? Why, that the incoming tenant would be burdened with a heavy payment to his predecessor, such as had hitherto been unknown in three-fourths of Ireland. It had been argued by the right hon. Gentleman the Prime Minister that such a payment would not affect rent. He altogether disagreed with the right hon. Gentleman. He cared not in what form they put it; but the greater the sum the man had to pay on entering upon a farm, the less sum he would agree to pay as rent, and they could not eventually separate this payment from rent. He wished now to call the attention of the Committee to the different principles on which the tenant and the landlord were treated under the Bill. One of the great objects of the Bill was to counteract what some people called the cupidity of the landlords; but he (Mr. Biddell) was not satisfied that it existed in Ireland except to a limited degree. The Bill said to them—"You shall not exact an excessive rent in the present exigencies of Ireland." And, apart from that position, he thought the Court was a good institution for the purpose of regulating the rent. But what did the Bill say to the tenant? It said—"Not only shall you sell the goodwill of your holding, but you shall sell it for the largest sum you can get for it." But he should have thought the financial sagacity of the seller would need this superfluous direction to obtain the highest price. The Bill would induce nearly all the tenants to go into Court in this way. A tenant finding his relations with his landlord getting shaky, although satisfied with the rent he was paying, would go to the Court in order to get as good as a 15 years' lease. [Mr. GLADSTONE dissented.] At any rate, that was the way in which he (Mr. Biddell) read the Bill, and he should be glad to find that he was not correct in his reading. Perhaps he might make himself best understood if he put a hypothetical case. A tenant's father dying, the son wished to take his father's farm, it being larger than his own; accordingly he went to an auctioneer to assist him in getting rid of his own, stating—"I expect to get a good round sum for my tenant right, as I had a cute man to represent me at the Court, who induced them to put it at a low rent." The auctioneer said he had other farms to get rid of, and that he would call an auction. He accordingly did so, and, probably, after the whisky had circulated and the bidders got a little excited, the most sanguine man with the least judgment and the most money would obtain possession of the holding. He ultimately finds he has given too much and fails; nobody sympathizes with him as he outbid his neighbours; whereas, had he hired direct of the landlord, he would have excited general sympathy, and the finger of the agitation would have branded the landlord as a rack-renter, and thus have tended to keep down rents. The Bill, then, encouraged competition in the keenest way, and did everything for the present, and was most injurious to the future tenant. The same result always followed a departure from great principles. ["Question!"] The Amendment before the Committee was that the operation of the clause should be limited, and that was the question he was now speaking to. He was of opinion that they ought to consider something beyond the old proverb—"Sufficient for the day is the evil thereof." It might be that the Government thought their time might only be short, and they were therefore anxious to get over the difficulty in the easiest way they could. But that was not the principle which ought to guide the legislation of the House of Commons.

Mr. HENEAGE said, that, as a point of Order, he wished to take the opinion of the Chairman whether the hon. Member was speaking to the Amendment?

The CHAIRMAN: I think the hon. Member is rather speaking against the sale of tenancies altogether, and not to the limit of £30 proposed by the Amendment.

Mr. BIDDELL said, he was endeavouring to show the expediency of fixing the limit of £30. If a landowner died with an estate in hand of £1,000 a-year, and the trustees did not care to carry on the farm themselves, were all the tenants to be paid under this clause who paid nothing on entry? If they were, all he would say was that they would, by thus depreciating the estate, be depriving the widow and children of that which, in all equity, belonged to them. He did not wish to express hostility to the Bill, for he had forborne to follow those whose judgment he generally approved in voting against the second reading. Far from it. Indeed, he approved of the establishment of the Court, and he thought the Government were perfectly right in bringing the matter forward; but he did not think that a property should be created in the tenant which had never before existed, except in one quarter of Ireland, where it had arisen solely in consequence of the kindness of the landlords.

Mr. GLADSTONE: As I understand the Amendment, it certainly appears to me that the hon. Member who has just addressed the Committee has travelled over a very much wider field. He has said that the clause is entirely bad, and because the Amendment of my hon. Friend the Member for Falkirk (Mr. Ramsay) gets rid of the application of it to a large number of tenants in Ireland, he is prepared on that ground to support it. I understand that to be the explanation of the hon. Member. My hon. Friend behind me (Mr. Ramsay) spoke in favour of the general principle of the Bill and of the clause; but he considers that tenants above £30 in Ireland, or above some other figure, which is not the figure of his Amendment, are perfectly independent persons, and are quite able to make their own contracts. Now, if the clause is bad, I do not think the House ought to limit its operation, but it ought to reject it altogether. I will, therefore, not attempt to deal with that particular form of argument. But my hon. Friend behind has said that the tenant above £30 is independent in Ireland and quite able to make his own contracts. I do not hesitate to say that my hon. Friend must have made this Motion, and must have made that statement, without the smallest regard to any of the conclusions drawn by the Commissioners who have inquired into the subject. The only Commission which has reported upon it is the Commission of Lord Bessborough, and the judgment of that Commission is entirely and directly contrary to the statement of my hon. Friend, and is to the effect that unless Parliament is prepared to negative such a proposition as is contained in the Amendment, the independence of tenants of £30 and upwards cannot for a moment be maintained. But I am bound to say, even if it could be maintained, that there are other arguments which would lead me to believe that it would be unwise in the interests of the landlord. When, in 1870, we limited the operation of the Act by introducing freedom of contract, not to the point of £30, but to a point somewhat higher, I believe the effect of that limitation was evil in two ways. For the evidence before the Commission places it beyond doubt that tenants very far above £30 are still under the greatest pressure and difficulty in Ireland, and are obliged to pay excessive rents when the landlord thinks fit, as he has done in certain cases, to demand them. Besides that, the policy of the limitation has been to drive all the most important and substantial part of the tenantry in Ireland into the ranks of agitation for further change. The error we committed in the legislation of 1870 in lowering the limitation was, in my opinion, unfavourable to the durability of the settlement then made. But there is another argument which I would venture to press upon hon. Members. I say, first, that it is not politic to make a limitation in the interests of the landlords and of the stability of any law we may pass; secondly, that it is not equitable to the tenant, because he is not independent; and, thirdly, I would call the attention of my hon. Friend to the actual state of the law. Parliament has created by law what has proved to be a real tenant right in Ireland, and the tenants of Ireland generally are in the possession of that tenant right. But they are debarred from its exercise by way of transfer by a prohibition which is inserted in a particular section of the Land Act, and thereby the real interest we have created is made comparatively useless to them. It is available for them in case of their eviction, but it is not available for them in any other case. In the event of the Amendment being carried, we should still have to deal with the Amendment of the hon. Member for Wexford (Mr. Healy). We intend to support that repeal of the 13th clause of the Land Act; and if we repeal the 13th clause of the Land Act, then I apprehend that, even independently of the stipulations of the present law, you will have an effective tenant right in operation throughout Ireland.

Sir STAFFORD NORTHCOTE: The Prime Minister, in what he has said, repeats an argument that he continually uses. He says—"This is a case in which we have, by recent legislation, created a right which we have given to the tenant." [Mr. Gladstone: Interest.] Well, an interest. "But at the same time," he says, "we have so guarded it that he can only use that interest which we have created for him subject to a certain limitation, that he is not able absolutely and freely to assign; and, therefore, it is obviously necessary that you should remove that restriction upon the interest you have created." But why? I fail to see the reason. I might or might not be ready to remove that restriction; but the Prime Minister puts it as a matter of course that, having first of all created an interest, you have done something very shocking in restricting the free and unfettered use of it. But if, by the same instrument as that which created the interest, you limit the interest, I do not see that it necessarily follows that you should take off the restriction. The argument I refer to has continually cropped up in the course of these discussions, and I entirely dispute the proposition that no man should have an interest in property without the power of selling that interest. However, we are not at this moment at liberty to argue that question; but it has been so often brought into the discussion that I am right in referring to it, especially because the Prime Minister has just used it in his argument against the Amendment of the hon. Member for Falkirk (Mr. Ramsay). But I understand the argument of the hon. Member to be this. He said, especially with regard to this part of the Bill, which is contrary to economical principles, which raises very great doubts in my mind as to whether it is for the good either of the tenants or the country in general that it should be enacted, I admit that you have to deal with a very special case. You have to deal with a class of men who are small tenants, and who, owing to circumstances—whether by their own fault, whether by the fault of their landlords, the fault of legislation by this House in former Parliaments, or from whatever cause—are in a position of exceptional difficulty. And, he says, I am prepared to deal with the case of these small tenants by putting them on a different footing to that which applies to the case of larger tenants. He names a limit of £30 as typical of the class which ought to be exceptionally treated; but I understand the hon. Gentleman to say that he is ready to substitute some other figure. My hon. Friend the Member for West Suffolk (Mr. Biddell) was, I think, perfectly right in calling the attention of the Government to a fact that is too often forgotten — that you have not only to deal with a present emergency, but that you must look to the interest of the country in the future. In the belief that this exceptional provision should be confined to those on whom the pinch and stress has come, I shall vote for the Amendment of the hon. Member for Falkirk.

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, it was a mistake to suppose that the clause would confer upon the Irish tenant property which he had not got. It simply enabled him freely to use the property which he had. Her Majesty's Government thought that the 13th clause of the Land Act of 1870, which they regarded as an unwarrantable interference with the tenant's interest, ought to be repealed. By the Land Act of 1870, protection was given by Parliament to the Irish tenant from year to year against disturbance by notice to quit—an operation which the purchaser or assignee of the yearly tenancy had to fear. The effect of the 13th clause was that if the landlord did not choose to accept the tenant, however unreasonably, the assignee had no protection whatever. The other House established a hard-and-fast rule that the landlord might, without any reason whatever, refuse to accept the assignee of the tenant, and, serving the dreaded notice to quit, put him out without any compensation, the effect of which, of course, was practically to destroy the right of assignment, because the purchaser, knowing that, though assignee, he would thus be at the mercy of the landlord, would give nothing for the tenancy. Her Majesty's Government thought that the landlord should have power to object to the new tenant, but only on reasonable grounds; and that power, accordingly, they proposed to leave to him. More than that he did not think that any fair landlord would ask for. The proposal of his hon. Friend the Member for Falkirk (Mr. Ramsay) would establish a limit to the operation of the 1st clause of, say, £30. But the objection to all these arbitrary lines was that they were founded on no real principle. Why should they do for a man who was rented at £30 what they would not do for another rented at £30 10*s.*? Another objection to the proposal was that it was not to limit the clause by the valuation, but by the rent of the holding, so that there would be the strongest inducement for the landlord to carry on the process of raising his rent in order to get the farm above the prescribed limit. Further objection to the Amendment was that it might encourage the attempts of owners to avail themselves of hard times, when tenants could not pay, to consolidate their farms for the purpose of placing them beyond the operation of the Bill. His hon. Friend said that the tenants above the limit named in the Amendment were more independent than those below it, and that statement of his hon. Friend would be perfectly intelligible to him if they had anything to do with the freedom of contract which he spoke about. But they had nothing to do with freedom of contract here, or with the rules of political economy, except that it seemed to him a very sound economical principle that a man should be at liberty to sell his property for what it would fetch. The hon. Member for West Suffolk (Mr. Biddell) had said that the clause would prejudice whole generations of Irish tenants, who, he thought, would be damaged by the increased amount they would have to pay for their farms. It seemed that hon. Members could never get rid of the notion that tenants in Ireland were constantly buying and selling their farms. That idea was utterly unfounded. The number of sales was extremely small. In Ulster, where free sale had always existed, there was not more than one sale in two generations. But he had still another objection to the Amendment of the hon. Member, and it was this—that on farms of over £30 one looked for a better class of tenants, as well as for the greatest amount of improvement in cultivation; but what possible encouragement would a tenant have to adopt improvements if he was not to be allowed to sell his interest to the best advantage? The right of sale had acted admirably in Ulster, where it not only secured the landlord his arrears of rent, but the tenant a valuable, because saleable, interest in his holding, and the result was that land was cultivated far better in Ulster than any other part of the country. For these reasons he trusted the Committee would not accept an Amendment which, he believed, would only sow afresh the seeds of discontent and disorder amongst the tenant farmers of Ireland.

MR. BRODRICK said, that the right hon. and learned Gentleman had omitted to state some of the most important items which the farmers would have to contend with. He had told the Committee that the effect of limitation on the landlord would be merely to remove the landlord's control from his property; but he had not stated that the landlord would have no security against the imposition of a bankrupt tenant upon him, inasmuch as it was impossible to prevent a sum greatly in excess of the value of the holding being paid. A case came before him a few days ago, which showed that the Bill as it stood would work unfairly to the landlord. A man, five years ago, took a farm on the English system for £500 a-year. In consequence of his not succeeding in his operations his landlord made him a reduction of £50 a-year for the last four years. The tenant in a short time had the farm in such an impoverished condition that he was willing to get out of it on any terms. He had never been able to put money, so to speak, on the soil, for he had lost his capital elsewhere. He (Mr. Brodrick) asked what interest that tenant had to sell in his holding, except, perhaps, the reduction in the rent which the landlord voluntarily made him? It seemed to him a bad principle to deprive the landlord of the power of choosing a tenant who would be able to pay a fair average rent. The Solicitor General for Ireland cited a case of a man being willing to expend £1,100 on an £80 holding, or about £20 of capital per acre. He (Mr. Brodrick) asked whether that was a typical case, especially in Ulster, where, if they could get a tenant with a capital of £7 or £8 per acre, it was the utmost they could get? He entirely denied that the present system had produced the vast amount of injustice on large holdings which the language of the Prime Minister had implied; and he challenged anyone to prove from the Reports of any Commission that such a condition of things existed. With regard to the Amendment of the hon. Member opposite, exception had been taken to the term "rent," as distinguished from the term "valuation." Upon this point he wished to say that if the tendency would be for landlords to push up their rent in order to get above the operation of the clause, then he thought it would be better to substitute the term "valuation." The Amendment was one which he believed the Government ought not to reject without the fullest consideration, and if the hon. Member carried it to a division he should give him his support.

Mr. SHAW pointed out that in nine cases out of 10 the persons who took large farms in Ireland had not the capital to work them. This class of farmers was not generally successful throughout Ireland. Unfortunately, there was such a liking for sport there that almost immediately a man got possession of a farm of 400 or 500 acres he purchased a hunter and indulged in other luxuries. The custom of selling farms had become very general all over Ireland, by permission of the landlords, and it was therefore unwise to limit the right, because it would work very great injustice, and would, moreover, stir up the elements of another agitation. The men who were most prominent in the present agitation were those who were excluded from the Act of 1870.

Mr. R. H. PAGET considered there was great force in the remarks of the hon. Member who had just addressed the Committee. It was only right, when the Attorney General for Ireland argued that every man should have the right to sell that which he possessed, and that there should be no limitation placed on that right of sale, to ask the right hon. and learned Gentleman how many limitations of the kind there were in the Bill? The clauses of the Bill abounded in exceptions and limitations of the right of sale. Clause 9, with reference to leases, had these words—

> "And the tenancy shall during the continuance of such lease be regulated by the provisions of that lease alone, and shall not be deemed to be a tenancy to which this Act applies."

The holders, therefore, of judicial leases were excluded from the right of free sale. Again, Clauses 10 and 11, where the right to create fixed tenancies was given to the landlord, and the payment of fee farm rent by the tenant, provided—"The tenancies so created were not to be deemed tenancies to which this Act applied." The Committee had just heard from the Attorney General for Ireland that it was wrong to establish a limit of £30, because it was not founded on principle, and there was no reason why the limit should not be placed at £30 10*s*.—in short, that it would create immense difficulty to introduce into the Bill any limit whatever. But it must not be forgotten that in Clause 17 the limit of £150 was set to the power of contracting out of the Act; and it might, on precisely the same principle, be argued that the line of £150 was wrong, because there was no reason why it should not be extended to tenants rated at a less annual value than £149 10*s*. If the clause did not fix a distinct limit, he was entirely at a loss to know what the word "limit" meant. There were again, in Clause 46, a number of limitations relating to the demesne lands and other property to which the Act did not apply, and Clause 47 provided that existing leases "should remain in force as if the Act had not passed." Why, the Bill throughout bristled with clauses referring to tenancies "to which this Act does not apply," and when the right hon. and learned Gentleman based his argument against the Amendment of the hon. Member for Falkirk upon the statement that it was wrong, as a matter of principle, to attempt to introduce any limit because all limitations were wrong, he (Mr. Paget) said he had entirely forgotten the character of his own Bill. There was one point raised by the right hon. and learned Gentleman which he thought worthy of a moment's consideration. He understood the argument of the right hon. and learned Gentleman to be that, previous to the Act of 1870, any Irish tenant had the right to assign his holding at Common Law, and that this right was destroyed by the Act of 1870. Now, what was the nature of this right? The right hon. and learned Gentleman had himself answered that question when he told the Committee that "it was of no commercial value, because the moment it was assigned the assignee could be turned out," and therefore the commercial value of the legal right to assign, which existed previous to the Act of 1870, amounted to nothing at all. But the Prime Minister went further, and the Committee were told that, by the Act of 1870, real property was created for the tenants. But the Act must then have created what it was never intended to create; and the Prime Minister, in his first speech on the Bill made this Session, told the House that it was a surprise to the Government to find that the result of the Act of 1870 was to give to the tenants of Ireland that which he and the then Government never intended to give them. But now, because the tenant had got by accident something which the Prime Minister had said it was never intended to give him, they were told that this right of the tenant must be completed because it was at first necessarily incomplete. Undoubtedly what was given to the tenant rightly or wrongly, intentionally or unintentionally, was incomplete, and the Government were now prepared to give him a complete right. To do that might be right or otherwise; but he (Mr. Paget) ventured to submit that the argument by which it had been supported by the Prime Minister would not for one moment bear examination. He, therefore, contended that the arguments by which this claim was supported on behalf of the tenants were untenable—plainly so as a matter of logic—and that there was no reason why limitations of the application of the clause should not be introduced if necessary.

MR. HENEAGE said, it was clear that the general feeling of the Committee was, at any rate, against the figure named in the Amendment of the hon. Member for Falkirk. He hoped, therefore, that the Amendment would be withdrawn, especially as the general question of limitation would be raised by another Amendment on the Paper. For his own part, he had no wish to sit into September, and ventured to hope that the Committee would not have to listen to a discussion of the same point two or three times over.

MR. GIBSON desired to guard himself against any possible concurrence with the statement of the Attorney General for Ireland, that the Government had made up their minds to yield to the Amendment of the hon. Member for Wexford to strike out Clause 13 from the Act of 1870. That must not be allowed to pass without challenge, and it must not be supposed that it was a proposition that would be yielded to without a large amount of discussion. The clause was deliberately framed, and he was strictly accurate in saying that it was placed in the Bill on the Motion of Earl Granville, and that it came before the House at the time accredited from the Government of the day. It would not be a matter of surprise, therefore, when the subject came on for discussion, that hon. Gentlemen on that side of the House declined to agree to its withdrawal without full discussion.

LORD EDMOND FITZMAURICE appealed to the hon. Member for Falkirk to withdraw his Amendment, and, if necessary, to move it in the form of an Amendment to the proviso at the end of the clause. The proviso, he reminded the hon. Member, would afford a much more suitable opportunity for the discussion of the question of limitation than the part of the clause at that moment before the Committee. The limit was so low, and would exclude so many tenants who had an undoubted right to come within the provisions of the Bill, that if the present Amendment were carried to a division he should be obliged to vote against it.

Mr. W. FOWLER said, he held in his hand the Bill of 1870 as it came down from the House of Lords, and with notes of the particular changes which were there introduced. It had been said by the right hon. and learned Gentleman the Attorney General for Ireland that Clause 13 of that Act forbade all assignment by the tenant; but that was confined to tenancies held from year to year existing at the time of the passing of the Act. Without going into the question of the right of limitation, he thought the Committee ought not to run away with the idea that the 13th clause of the Act of 1870 was a general forbidding of assignment by the tenant. He was disposed to think that it was exceedingly difficult to place any limit to this section. If they once admitted that they were about to make a new code of law as between landlord and tenant, and then attempted to set up limitations, it was extremely difficult to do so unless they applied them to whole classes of estates and people. He had on the Paper an Amendment which proposed a limit of a different kind from the present. Again, he thought the limitation by a money figure would work very awkwardly; indeed, he did not see how it would work at all in the present state of confusion and dispute which existed throughout the country. While he felt that the question was one of immense difficulty and that there were others arising from the new code which were in themselves so difficult that they must not be discussed in a hurry, but with care and patience, and with a desire to get to the bottom of the whole matter, still he recommended the hon. Member for Falkirk not to press his Amendment to a division. If a division must be taken on the question of a money limit, he thought it would be taken with greater advantage on the limit of £100.

Mr. WARTON said, he honoured very much the spirit shown by the last speaker, and wished it were more common on the Benches opposite. He deprecated most earnestly any attempt to hurry the discussion on the Bill, such as was shown by hon. Members opposite when they constantly cried "Question!" and "Divide!" This had been very obvious during the speech of the hon. Member for West Suffolk (Mr. Biddell), who, in criticizing the clause, had stated his case with such complete fairness, and who had never wandered by one word from the point raised by the Amendment. For his own part, he believed that the more carefully the Committee discussed the important matter contained in the early part of the Bill the sooner the end of the Bill would be reached. On the other hand, if the work was scamped, so to speak, and the clauses hurried through, it would be found when they got a little further into the clauses that the confusion in which the Bill was at present involved would become a great deal worse. One of the strongest reasons why the Committee should not be so anxious to save time was that they had not got their definitions in order. He had himself heard the Prime Minister say they had created a "tenant right;" but when the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) repeated those words, the Prime Minister said he had used the term "tenant interest." Therefore, he regretted to remind the Committee that they did not even then know what it was they were discussing. Again, that which had been called by the Prime Minister both "tenant right" and "tenant interest," he had himself also described as "goodwill" by an analogy which might be supposed to hold between a tenancy and certain trading occupations. Therefore, according to the varying phases of the Premier's mind, they had every possible definition and every sort of difference of idea. Then with regard to Clause 13 of the Act of 1870. They found the Attorney General for Ireland making use of a most extraordinary argument, in saying that in a normal condition of things there was not more than one sale in two generations. But that, he contended, was not a normal condition of things. As they had, according to the Premier, confirmed tenant right, the moment that right was confirmed by this Bill the tenant would want to sell it, because it was only the present tenants who would get any benefit from the Bill; it would not be the tenants who wanted to become the landlords of the future. When it was fully understood that 200,000 people were going to have the power to sell what they had never paid for, the absurdity of the argument of the Attorney General for Ireland that only one sale would take place in two generations was very apparent. But he must remind the Prime Minister that when the Compensation for Disturbance Bill was before the House last year, he himself accepted a limit, he believed, of £30 beyond which that Bill was not to apply. It might be that £50 was a more convenient figure than £30 in the present instance; but as the principle of limitation was introduced into the Bill he had referred to, and was considered a good one, it was difficult to see why it should not be also admitted in the present Bill.

MR. RAMSAY thought he was entitled to address the Committee after the representation which had been made in opposition to his views on that side of the House. He had no objection, if the Committee would allow him, having regard to the difficulty which had been stated as between rent and value, to amend his Amendment by substituting for the words on the Paper the words "which does not exceed the annual rent of £50." He reminded hon. Members who had listened to the discussions on the Compensation for Disturbance Bill that the argument of limitation was supported on the sole ground that there were two classes of tenants in Ireland, and that there must be some line at which to draw a distinction. There was one class of men so dependent that there was no possibility of their making a free contract, and there was another so independent that they were perfectly well able to make a free contract with the owners of the land in Ireland. The Bill was intended to benefit a poor class which demanded the sympathy of the people of this country; but he believed that no measure would do much to alleviate the distress of the small occupiers, to whom he believed it would do no good to give the lands even without money and without price.

MR. GLADSTONE said, he thought the Amendment had better be disposed of.

SIR STAFFORD NORTHCOTE: I must say I am surprised that the right hon. Gentleman should not extend to his own Friend and supporter the Member for Falkirk the courtesy which is generally extended to Members when they desire to amend their proposals. I would point out that the hon. Member for Falkirk, in his opening remarks, said he had no exclusive preference for a particular limit, although he argued on the assumption that there should be some limit. I think it would be but courtesy, in accordance with the ordinary practice of the House, that the hon. Member should be allowed to withdraw his Amendment and re-submit it to the Committee in the form which he desires. Of course, the Committee will exercise their discretion as to the mode in which they will deal with the Amendment; but I think the best course will be to allow the hon. Member to withdraw it.

MR. GLADSTONE: I dissent altogether from the statement of the right hon. Gentleman, which is founded upon an entire misapprehension of the facts of the case. It is perfectly true that it is usual to allow a Member who proposes an Amendment to make alterations in it, even at the last moment, for the purpose of making it clear. But this is simply a case of proposing an Amendment entirely different from the original. The Committee will see that a holding rented at £30 is one thing and a holding valued at £50 is a totally different thing, and means a holding rented at between £60 and £70.

SIR STAFFORD NORTHCOTE: I ask the right hon. Gentleman whether he accepts the principle involved in the Amendment? If that is so his observations will be in point; but if he declines to accept the principle, I contend that he should allow the hon. Member for Falkirk to put his proposal in the form which the hon. Member considers most favourable.

MR. GLADSTONE: The Government think that the only safe method of limitation is by introducing at a certain line freedom of contract; and we intended to propose, if there were to be any limitation at all, that it should be in that shape. But my point is, that when a particular proposition has been made to the House, and has been debated for a couple of hours, it is better that it should be disposed of instead of being passed by without any judgment being pronounced by the Committee.

Lord JOHN MANNERS pointed out to the Committee that by the arrangement indicated by the right hon. Gentleman there would be two divisions; whereas, if the proposal of the hon. Member to amend his Amendment were accepted there would be but one. He repeated the statement made by his right hon. Friend the Member for North Devon, that all through the discussion the Amendment of the hon. Member for Falkirk had been distinctly argued on the principle and not with respect to the particular figure inserted in the Amendment. He had a most complete recollection that the hon. Member himself, in his opening statement, actually said that he did not lay any stress upon the figure 30, and that he was prepared to substitute the figure 50. That had been throughout the general opinion of the Committee.

The CHAIRMAN reminded the Committee that there would have to be two divisions if the Amendment was not withdrawn in order to insert £50. It was quite within the competence of any hon. Member to move that the word "thirty" be omitted.

Amendment proposed to the said proposed Amendment, to leave out the word "rent," and insert the word "valuation," — (*Mr. FitzPatrick,*)—instead thereof.

Question, "That the word 'rent' stand part of the proposed Amendment," put, and *negatived.*

Question, "That the word "valuation' be there inserted, put, and *agreed to.*

Amendment proposed to the said proposed Amendment, to leave out the word "thirty," and insert the word "fifty," —(*Mr. FitzPatrick,*)—instead thereof.

Question proposed, "That the word 'thirty,' stand part of the proposed Amendment."

Mr. MITCHELL HENRY said, before the Question was put, he wished to ask whether it was competent for a Member to move a succession of Amendments, each one involving an increase of, say, £1 upon the other? Suppose a sum of £50 was proposed to be inserted, was it competent to Members to move that £51, £52, and so on, be inserted? He believed the present proceeding was irregular, and that a division should be taken once for all in accordance with previous decisions on points of this kind, otherwise the reductions proposed might be interminable.

The CHAIRMAN: If the Committee negative the Amendment to insert the word "fifty," it will be competent to any hon. Member to move that another sum be inserted.

Question put, and *negatived.*

Question, "That the word 'fifty,' be there inserted," put, and *agreed to.*

Question proposed, "That the words 'the annual valuation of which does not exceed fifty pounds,' be there inserted."

Mr. GLADSTONE: It is not necessary, as far as the Government is concerned, to renew the debate; but I wish to point out that this was the limit introduced, unfortunately I think, into the Land Act of 1870, but for a very different purpose. It was introduced for the purpose of allowing freedom of contract at a certain point; but it did not exclude from a free disposal of the interest, which, we think, should be an equitable interest existing in law. Her Majesty's Government, of course, regard the Amendment in its present form with feelings of somewhat diminished intensity; but our objections to it are absolutely of the same force as they were to the figure of 30.

Question put.

The Committee *divided:*—Ayes 140; Noes 243: Majority 103.—(Div. List, No. 224.)

Mr. BOURKE said, there was a point which he wished to raise which limited the tenant right to farms on which the tenantry resided; but as his object was covered by the Amendment of the right hon. and learned Gentleman the Member for Dublin University (Mr. Gibson), he should not move.

Mr. GIBSON said, he hoped the right hon. Gentleman the Prime Minister would see his way to go, at any rate, some distance in the direction of the Amendment he was about to propose. He could understand a wide sympathy existing for those occupying tenants who were themselves working men, and worked their farms by the aid of their families. He could also have great sympathy for those who, although they did not actually exist on the farm, had, by industry and thrift, two or three farms. These classes formed a meritorious and industrious tenantry who were deserving of every consideration. His Amendment, therefore, made the distinction clearer between those tenants who occupied and those who sub-let; and, although it might not be the best way of dealing with the question, he ventured to think there was substantial justice underlying his proposition. He was fully conscious that this was not the intention of the Prime Minister, or of his Colleagues; and, therefore, he presented his Amendment, which needed no lengthened argument to support it, in perfect good faith, and in the hope that the right hon. Gentleman would be able to make some concession in the direction which he had indicated.

Amendment proposed,

In page 1, line 8, after "applies," insert "and in actual occupation of the holding."—(*Mr. Gibson.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, if his right hon. and learned Friend would turn to the Definition Clause he would see the word tenant defined as meaning "a person occupying land." If, accordingly, the tenant sub-let his holding, he ceased to be "tenant" within the provisions of the Bill. The tenant was, in short, the person in occupation.

MR. GIBSON accepted the statement of his right hon. and learned Friend; and he would not press the matter further at that stage of the Bill.

Amendment, by leave, *withdrawn.*

LORD GEORGE HAMILTON said, that, as he understood, the Government proposed to establish on those holdings which were not subject to the Ulster Custom a new custom or tenant right, and that the regulations relating to the sale under that custom were contained in this clause, but that the regulations in this clause were not meant to control the Ulster Custom or usage. That being so, his Amendment would not in any way affect any holding subject to the Ulster Custom. But the custom which the Government proposed to establish outside Ulster differed from the Ulster Custom. Now, it was quite clear that outside Ulster a different state of relations between landlords and tenants prevailed, as compared with the relations between landlords and tenants within that Province; and, therefore, he desired by his Amendment to make provision for certain cases which were likely to arise. The Committee would bear in mind that the right hon. and learned Gentleman the Attorney General for Ireland had just stated that it was not the intention of Her Majesty's Government to give the tenant the right of selling anything he had not got; and he was quite willing to suppose that a tenant in Ireland was, in this respect, in the same position as any other individual—that was to say, he could not sell anything which he had not created, or bought, or inherited. There were persons on estates in Ireland who had neither bought nor inherited tenant right; and, therefore, he thought some words should be inserted in the clause to enable the Court to deal with cases of this kind when they came before it. With this view, he proposed to add words that would make it clear that, while the Committee, on the one hand, were desirous of protecting tenants improvements, and giving them the right to get compensation for such improvements, and for tenant right where they had either inherited or bought it—that it was not the intention of the Committee to allow a tenant who had neither bought nor inherited it to sell any part of his tenant right.

Amendment proposed,

In page 1, line 8, after the word "may," insert "except in the cases hereinafter in this section specially mentioned."—(*Lord George Hamilton.*)

MR. TOTTENHAM asked what were the intentions of the Government with regard to cases similar to that which he would describe to the Committee, and of which there were any number that could be instanced to his personal knowledge. There were men in Ireland known as "gombeen men," who acquired, by lending money to small tenants, their rights and interest in their occupancies; and he was acquainted with one case where fully 10 or 12 small farms were in the hands of a person of the kind he had alluded to. Therefore, he asked, was that man to be considered a tenant in occupation under this Bill, having acquired the tenant right in a holding for which he had paid only a nominal sum? In his opinion, there ought to be a provision of the kind which had just been proposed by the noble Lord the Member for Middlesex inserted in the clause, for the exclusion of such persons from the operation of the Bill.

Mr. GLADSTONE: In answer to the observations of the hon. Member for Leitrim (Mr. Tottenham), I may say that I think the question raised by him is substantially and entirely disposed of by the conversation which has just taken place between the right hon. and learned Gentleman the Member for the University of Dublin and my right hon. and learned Friend the Attorney General for Ireland. It is the intention of the Government to fix the tenant's interest where it now subsists—namely, in the real occupier, consequently no transaction between the "gombeen man" and the tenant can come within the scope of the Bill. The Bill would take no cognizance of such a person whatever. But it appears to me that such an Amendment as that suggested by the noble Lord is unnecessary, because, if I understand aright, he has in view the making of a substantial and improved proposition, these words being merely words of reservation, pointing to some other operative Amendments which the noble Lord is going to introduce, the nature of which I am not at present acquainted with. Now, the Amendment before the Committee I think is unnecessary, because the noble Lord will, when he makes his operative proposals, put them in strong indicating words; and, therefore, I hope we may pass over this point without prejudice to the proposals of the noble Lord.

Mr. TOTTENHAM said, in the case of the transaction of the "gombeen man," the tenant was got rid of, and the "gombeen man" actually became the occupier of the property. He maintained that there was no provision under the Bill for the protection of the man who had sold his right in the way indicated, and a valuable property was being created for the money lender, for which he had only paid a nominal sum; and, therefore, it was but reasonable that an Amendment should be inserted to meet the case.

The ATTORNEY GENERAL for IRELAND (Mr. Law) was understood to say that the "gombeen man," if in occupation as tenant, and accepted as such by the landlord, must, of course, be recognized and treated as tenant by the Bill.

Lord GEORGE HAMILTON said, after the remarks of the right hon. Gentleman the Prime Minister, he was willing, by leave of the Committee, to withdraw the preliminary Amendment which he had moved. There was one question, however, which, no doubt, the Attorney General for Ireland would answer. Was he right in saying it was quite understood that the restrictions in Clause 1 were not intended to apply to the Ulster Custom so far as free sale was concerned?

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, there was no intention to alter the Ulster Custom by the regulations contained in the clause; but it was hoped that when the Bill passed, it would be in such a form that the Ulster tenants, like other tenants, would find it convenient to avail themselves of this statutory right of sale.

Mr. A. M. SULLIVAN said, he had known instances of persons getting hold of property in the manner alluded to by the hon. Member for Leitrim (Mr. Tottenham); but he had never known the law of property interfered with because these persons were "gombeen men."

Amendment, by leave, *withdrawn.*

Sir R. ASSHETON CROSS reminded the Committee that, a few days ago, he had asked the Prime Minister when he would furnish the words proposed as alterations to the 2nd clause. At that time he had intended to press the point; but the answer of the right hon. Gentleman was, he thought, satisfactory—namely, that it would be better to see in what shape the 1st clause stood before they came to deal with the actual wording of the section. He wished to draw the attention of the Committee to the question of how they could best get a clear notion and definition of what it was that the tenant could sell; and that was the main object of the Amendment he had placed on the Paper. It appeared to him that great confusion of ideas prevailed amongst the Committee with regard to this subject; some hon. Members thinking that the tenant who had created improvements had the right to sell everything that could possibly be sold in connection with the tenancy; whilst others took an entirely different view. He asked for a definition of what the tenant actually could sell, because the words of the clause, "his interest," were extremely vague, and carried with them no definite idea. He wanted to draw the attention of some hon. Members behind him—particularly those from Ireland—to this fact. They appeared to think, if you allowed the tenant to sell without defining what it was he had to sell, that you could afterwards limit what he could sell by limiting the price. They said, if the tenants could sell their full interest, the proper course was to limit the price at which the tenant could sell. But that suggestion was open to answer, because if you once allowed the tenant's right to sell absolutely, there was clearly a difficulty when you once fully acknowledged the power of the tenant to sell his interest to limit the price at which the tenant could sell. He did not say there were not certain limits which could be put on the right of sale; but the matter was one which required very careful consideration on the part of hon. Members; for, after having given the power to sell, he thought that the tenant might say—"It is very hard to limit me after giving me the right to sell." There ought to be a clear and definite understanding as to what the tenant could sell, and what he could not. Supposing that the Bill of 1870 had not passed, what was it that the tenant would have had a right to sell? He clearly would only have had a right to sell that which he had—namely, an unexpired tenancy. He was to have the full benefit of all his improvements, and, if he had paid money on entering the farm, either with the expressed or implied assent of the landlord, he would be entitled to have that recouped. He could sell his improvements and receive back the money he had paid; but all he could sell beside was the unexpired term of his tenancy, and, he being a tenant from year to year, that was not of high marketable value. That, he understood, was the foundation of the argument of the Prime Minister; for, when he introduced the Bill, the Prime Minister said that what the tenant had to assign was so small that it was little worth giving or receiving. The Prime Minister founded the power to sell in this Bill upon the Act of 1870, and what that Act did was, not to put money in the pockets of the tenants, but to secure them in their holdings, in order that they might work out the land to the best advantage. The proposition advanced by those who represented Ireland at that time was that the tenant had a right to continual occupation, subject to the payment of rent, and also that he had a right to sell his interest to any solvent tenant to whom the landlord could make no reasonable objection. That was the contention of the Irish Party at that time; and what was the answer of the Prime Minister? He (Sir R. Assheton Cross) contended that the Act of 1870 was passed, not to give the tenant the right to sell, but to secure him in his holding; and the Prime Minister in 1870 said the Government wanted to shelter the tenant from loss by eviction and to make that shelter effectual. Therefore, the object of the Act of 1870 was clearly not to put anything in the tenant's pocket except what he got through having security. It was distinctly stated that the object was not to give the tenant a paramount and permanent interest in his holding; but that was the whole position of the Government at the present time. The Bessborough Commission, considering this question of free sale, said in their Report—

> "We say that the tenant, upon whom has been conferred fixity of tenure and fair rent, will be in a position differing little from the owner of the soil, and ought not to be unnecessarily deprived of any ordinary incidents of property; and, therefore, he should be at liberty to sell."

That was the particular thing the Government said was never meant. They fought against it, and in 1870 said their object was to give the tenant effectual shelter. But, if that was coupled with the restrictions in Clause 13 of the Bill, it became clear what Parliament meant at that time. What the Prime Minister then asked Parliament to do was to give shelter to the tenant, but not the right to sell. Now, what had a tenant to sell when he left his farm, not by reason of eviction, but because he left for some reason of his own? If he left at the expiration of his term, what could he recover? He would have a right to recover from the landlord the value of the improvements he had made; and probably, if he had paid something to the outgoing tenant with the landlord's assent, he ought in justice to recover that. But he had no claim against the landlord for anything else. The argument of the Government was that under the Act of 1870 the tenant had a mysterious share in the soil, which he could not sell, but which made him practically the proprietor, and was entitled, therefore, to get a higher price than he could have got before this tenant right, for which he had not paid a farthing, came into operation. He happened to be the tenant for the time being, and was to be invested with a right given absolutely for nothing. The Act of 1870 gave to the tenant absolute security in his holding while he was there; but the Government were now proposing to take away from all incoming tenants for the future what they would possess under the Act of 1870, and to make them pay for all future time to the outgoing tenants that which was given to them free in 1870. What the tenants were to be required to pay for was security; but without this Bill they would have that free as a birthright. What was the practical result? If there was one thing more than another that the tenant wanted when he went into possession it was the use of all the capital possible with which to work the farm. When the question of perpetuity of tenure was being discussed some time ago, the Prime Minister used a remarkable argument. He said that if that was carried into effect it would be found that all that active and energetic class which did not require any permanent stake in the soil, but existed by the intelligent and profitable application of capital to farming, would be absolutely prescribed, and no man would be found to put spade or plough into the land unless he could purchase it as a permanent estate. Now, the Government were doing something very similar to that—the same thing, but not in precisely the same degree; for they said the tenant should not go into his holding unless he could pay something which he could not spare, and practically had not got. The ultimate result would be, unless the tenant's interest was more clearly defined, men who were tenants from year to year would be turned into a sort of perpetual leaseholders. He was not sure that that was a point at which all wished to arrive. Then there was another point which ought to be carefully cleared up, and this was the proper time to raise it. They had asked several times of what this tenant right was made up. They had been told a good many things, and on the second reading the Prime Minister had introduced an additional element, for which at the time he thought no one was prepared. As he understood the Prime Minister, the accidental tenant was the man who was to put into his pocket the value which his holding had in consequence of the scarcity of land in the particular district; and the Prime Minister said tenant right excluded the excess which was found in open biddings for holdings in Ireland, because of the scarcity of land as compared with the demand for it. Just as in this country when one article was rare the price might go beyond a fair value, so in Ireland, through the necessity of the much closer bidding for land, the buyer was ready to give more than he ought to give, and more than he could afford to give, and that excess was the second element of the tenant right. Were they to really accept that as what the tenant could sell? If so, it was difficult to see why that should be applied to land alone. One could hardly conceive that it was not to apply to land in the neighbourhood of a town; and, if so, then it must apply to the houses built on the land; and, therefore, the increased value of land, and the buildings upon it, in the neighbourhood of growing towns, owing to the scarcity of the supply, was to go, not to the landlord, but to the tenant. He would like to know how far that doctrine could be carried, because land in the City of London was valuable because of the scarcity in comparison with the demand; and, if that was what was meant, it was time to look about. He saw nothing in the Bill including that, and if that was the intention there must be some safeguard; otherwise they would be in an absolutely hopeless state of confusion in dealing with the other parts of the Bill. Then, as to what the tenant had to transfer, his holding was his means of livelihood; but he could not sell his means of livelihood. They all knew that the conditions of holdings in Ireland were all different. If he held land under a good landlord his holding would be much more valuable than if he held under a bad landlord. But if the holding was put up to public auction, was the good conduct of the landlord to be put forward as part of the price of the holding? He did not know whether that was contemplated or not. Again, it was undoubtedly the case that a large quantity of land was held at a low rent, and some at a rack rent. Was it to be held that the accidental tenant of the low-rented farm was to pay all the difference between the low rent and the rack rent unless the landlord made a bargain to raise the rent? That was not fair. That question was considered by the Duke of Richmond's Commission; and in the Report of the minority of that Commission, speaking of that point, they said—

> "We believe that any new legislation ought to follow more closely the Ulster example, especially in respect of what is known as free sale and tenant's interest. There are objections to the unqualified application of that system to every holding, which may be thus stated. Tenant's interest might in many cases exist with no difference between fair rent and low rent actually paid, and this value, where no tenant right payment has been made at the beginning of the tenancy, is not morally the property of the occupier, and to treat it as such by legislation would be to wrong the landlord."

Then, there was another point—the unearned increment. Suppose a tenant held a holding of £100 a-year, and the landlord, by enterprize and industry, had brought a railway there, and a trade sprang up there, was the tenant to have the advantage of that entirely? Those advantages would be in perpetuity, and the tenant would be able to sell his tenant right at a much higher rate than if they were not taken into consideration.

Amendment proposed,

In page 1, line 8, after the word "sell," to insert the words "such interest as under any contract, express or implied, between himself and his landlord, or by any legal custom or usage he may then have in unexhausted improvements or in the unexpired term of."—(*Sir Richard Cross.*)

Question proposed, "That those words be there inserted."

MR. GLADSTONE: Before speaking generally on the speech of the right hon. Gentleman, I think I may as well notice the point which he raised at the conclusion. He said—"Is it to be held that when a landlord has brought a railway into the neighbourhood, or by other measures has added to the value of the farms, that increased value is to form part of the tenant right?" Most certainly, in point of right, that would not form part of the tenant right; and if the landlord is wise he will take care that it shall not form part of the tenant right. And that word "tenant right" is not a word that I have chosen. It is so much in usage, and it is difficult to exclude it from the discussion; but the word I have always chosen is the word "assignment," because I do not want to raise the question at all how far this value of assignment is in the nature of a right, but wish to treat it rather as it is—as a matter of fact. I have never laid down the doctrine that the tenant was entitled to the whole of the difference between a fair rent and full rent which arises from the scarcity of land in Ireland. I do not know that it is any part of my duty to prescribe or attempt to lay down an abstract proposal on the subject. I think the more we avoid abstract doctrines in dealing with this subject the more practical progress we shall make. But what I must repeat is this. I was describing the actual position of the tenant—and, unquestionably, the occupancy of the land, which is what the tenant has to sell, does bear value in Ireland which it would not otherwise bear in consequence of the scarcity of land. But for that it is impossible to suppose that that would happen which constantly has happened—namely, that when a landlord has evicted a tenant from a farm under the Land Act, he does not pay compensation for disturbance, but that it is paid by the incoming tenant. I dealt with that, not as a matter of right, but as a matter of fact. That is an actual interest of the existing tenant, limited, however, by certain stipulations of the Land Act. I make that statement to ensure its being clearly understood that I lay down no abstract rule as to the property of the tenant, in the strict sense of the word, in that extra rent which is due to the extreme competition for land. I think it is not very easy to make out, perhaps, if that were an abstract doctrine, a claim either for the landlord or the tenant, in so far as that disposition may be the result of that competition and excess in the demand as compared with the supply. We have had before us, in the right hon. Gentleman's speech, two questions which are quite distinct. One is the question whether there is any element of value in tenant right in Ireland beyond the tenant's improvements; and the other is the question whether it is wise to attempt to define tenant right. On the first of these we hold that there was an element of value in the tenant right beyond improvements; but that is an element of value which attaches to the fact of occupancy, and it has been indicated by the willingness of the tenant to pay for obtaining it. As to the expediency of attempting to define the tenant right, without having any absolute conviction, the more I think of it the less I think it would be expedient to make that attempt. It is quite plain, in my opinion, that the definition proposed by the right hon. Gentleman will not do. I have no doubt he has bestowed great pains upon this definition; but I think it would be unsafe to adopt it. The tenant's interest is the interest made up of what the law gives or shall give him. We are going to operate on the tenant's interest in all the clauses of this Bill. We shall adopt from time to time enactments which, I hope, will improve the tenant's interest. There seems to be a general admission that the Court, under the circumstances of Ireland, shall have the power to fix a judicial rent. There seems to be also an admission that the judicial rent, once fixed, must endure for a certain time. I do not want to gain any surreptitious advantage; but these admissions are generally made. But, supposing that we may agree in considering that the Court shall fix a judicial rent, and that that rent, when fixed, shall be followed by a statutory term—15 years is the period in the Bill, but it has been proposed to increase it and to reduce it—I do not think we should increase or reduce it for the purpose of this argument; but if you adopt any provision of that kind—and the majority of the Committee seem disposed to adopt it—you will at once add to the value of the tenant's interest. The right hon. Gentleman puts the tenant's interest under the head of a contract between himself and his landlord; and, secondly, under the head of legal custom or usage. That element of contract, derived from a statutory term, will not flow from the legal custom, but from the enactment of the Bill. I think that is an indication of my meaning when I say it would be unwise to attempt to define exhaustively the tenant's interest at the time when we are going to consider that matter under the different clauses, and we do not know in what shape the interest may come out from the discussion. Therefore, the right hon. Gentleman will understand that I am only using this as an illustration. Evidently, the object is to prevent the invasion of the landlord's rights. The landlord's rights will not, in my opinion, be infringed. The landlord's rights are to be defended mainly under one head only; and, secondarily, perhaps, under neither — mainly, of course, by preserving to the landlord the right of obtaining, in the shape of increased rent, or in the shape of judicial rent, the fair rent of the land which we shall hereafter have to discuss. The landlord may possibly have an interest in preventing tenant right from running to an excess, partaking of no rational explanation by reference to improvements, or to any such interest as has usually been known in parts of Ireland other than Ulster. But these are the limits of the landlord's interest; and so far as the landlord's interest depends on the augmentation of rent, that is provided for in other parts of the Bill. As far as it depends on the value to be given for the assignment, that is a question that will be raised at a future time. There is no necessity for our defining the interest; but, if we look to the general argument of the right hon. Gentleman, what does it mean? He admitted, in the first place, that we do not constitute any new claim on the landlord. We did in 1870, but we do not now; and he says that the ultimate result will be that the landlord will have to pay. But against the speculative and hypothetical argument of the right hon. Gentleman I place an assertion, founded on historical experience, that in Ulster, where tenant right has prevailed, and where it has prevailed to a greater extent than it is likely to do under the provisions of this Bill as it stands, rent has exceeded the rent paid in the rest of Ireland, and has increased, as we know from undeniable figures, very much faster than elsewhere. Therefore, I cannot admit the doctrine of the right hon. Gentleman. Then he asks, what has the the tenant to sell? What he has to sell has to be tested in this way—is anybody ready to give anything for it or not? He says that I laid down the abstract doctrine that because a tenant has the means of livelihood in his occupation, therefore, that is in the market. I laid down no such abstract proposal. I said the tenant would have the means of livelihood in his occupation, and that his means of livelihood were fortified by the law which prevents his being removed except on a certain payment, and that that increased the value of his occupancy. Why is he not to have that? The right hon. Gentleman thinks it is extremely hard on the incoming tenant; but why is it hard that he should pay that which he is willing and desirous to pay? He only wants the opportunity and the opening to pay, and you are not satisfied with facilitating the way to do that, but you insist that for this thing, which has value, which in innumerable cases is paid for, he shall not pay at all. Why? Has it been inexpedient in Ireland? Has it produced bad effects? The hon. Member for Leitrim (Mr. Tottenham) says it has. He denounces the Ulster Custom as vicious in principle and mischievous in effect. The united wisdom of the Bench below him had devised the Amendment of the noble Lord the Member for Leicestershire, which declared it to be a matter of great importance that the Ulster Custom should be maintained. If that is so; if it is good for the outgoing tenant; if it has been proved to be good for the incoming tenant; and if it is proved that he desires to do that which you, in the tenderness of your interest, will not allow him to do, why do you prevent him from doing so, and deprive him of the right to sell the interest he now possesses, which policy and principle alike recommend? The present question is a narrower one. I frankly own the fair spirit in which the right hon. Gentleman has sought to consider the arguments for this Bill. I separate from the general argument the question of a particular argument for a definition. I think I have shown that the definition he proposes is not practicable; and I think that as we progress with this Bill we shall do wisely, taking every just security for the landlord's interest, when we come to the proper provisions of the Bill, not to attempt to define the right—which means, after all, the occupancy—of the tenant, together with such incidents as it may please the Legislature to attach to it.

Motion made, and Question, "That the Chairman do now report Progress, and ask leave to sit again,"—(*Mr. Ritchie,*)—put, and *agreed to.*

Committee report Progress; to sit again upon *Thursday.*

And it being ten minutes to Seven of the clock, the House suspended its Sitting.

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The House resumed its sitting at Nine of the clock.

## *MOTIONS.*

## FISHING VESSELS' LIGHTS—REPORT OF THE SELECT COMMITTEE.

### RESOLUTION.

**Mr. BIRKBECK,** in rising to move—

> "That, in the opinion of this House, it is expedient that the recommendations of the Select Committee of last Session on Fishing Vessels' Lights be carried out in accordance with the Report of the Committee, so far as it affects trawlers' lights;"

said, he regretted there should be any necessity to bring this matter before the House; but he had no other alternative, because it affected the interests of a most important trade, and the safety of the lives of a valuable class of men. He admitted that there was a necessity for an alteration in the lights of fishing vessels. The Merchant Shipping Act of 1862 and the Sea Fisheries Act of 1868 were at variance with each other, and trawling smacks had been using an illegal light for many years. This was an international matter, and therefore it was of the more importance that it should be settled at once. The question of drift-net vessels had been settled, and the question was solely and entirely in relation to the lights required to be displayed by trawling vessels. They were in the habit of carrying a white foremast light; they also had to carry a side light, inasmuch as when in their occupation they were vessels under way the same as any ordinary sailing vessel. By the 25th clause of the Merchant Shipping Amendment Act power was given to a Joint Committee of the Board of Trade and of the Admiralty, by an Order in Council, to annul or modify any of the regulations or to make new ones; and the proposed alterations came under that clause. It was an obnoxious clause, because it gave a Departmental Committee power to vary regulations without coming to Parliament or consulting the fishing interest or the Mercantile Marine. On the 24th February, 1874, a Joint Committee of the Admiralty, Board of Trade, and Trinity Board, was appointed to draw up regulations to prevent collision at sea. Negotiations were carried on with all the principal maritime Powers. An Article, No. 10, was drawn up and agreed upon, and passed by an Order in Council, in August, 1879; and sub-section D was as follows:—

> "A trawler at work shall carry on one of her masts two lights, in a vertical line, one over the other, not less than three feet apart—the upper light red and the lower light green, and shall also carry the side lights required for other vessels."

These regulations appeared in an Order in Council of the 14th of August, 1879, and were published in the usual way in *The Gazette* and in the local papers of the coasting towns, and that was the first intimation the fishing interest had of the changes. Meetings were called at the principal ports, and a representative conference was held at Great Yarmouth in October, 1879. The proposed regulations were unanimously condemned. The late President of the Board of Trade sent Commissioners to the various fishing ports to hear the objections of the fishing interest to the proposed regulations —the Commissioners being Mr. Gray, Captain Digby Murray, and Captain Weller, of the Trinity House—and they visited Great Yarmouth, Grimsby, Hull, Brixham, and Penzance, to hear objections; and in the following year they issued what was considered a most unsatisfactory Report, which was laid on the Table. In consequence of its being so unsatisfactory, the late President of the Board of Trade was asked that the enforcement of the regulations should be postponed from the 1st of September, 1880, to the 1st of September, 1881, and he agreed to the request, and also that a Select Committee should be appointed to inquire into the objections of the fishing interest. After the General Election the present President of the Board of Trade also agreed to the appointment of the Committee. It sat early in June, and 37 witnesses were examined on behalf of the fishing interest from all parts of the United Kingdom. Their evidence was of a clear, convincing, and telling character. Four witnesses were examined on behalf of the Board of Trade. The Committee unanimously found that Article 10 of the new regulations should be revised; that trawlers should not be compelled to carry side lights when trawling, nor two coloured masthead lights, but that they should retain the white light they had carried so many years; that drift-net vessels should carry two white lights instead of two red lights, as proposed by the Departmental Committee; that pilot boats should carry a red over a white masthead light; and, lastly, that for the future no alterations in fishing lights should take place without ample notice being given to those interested. After so strong a Report as this being made in their favour, the fishing interest made up their minds that their wishes would be acceded to; but he regretted to say that when the Departmental Committee met in January of this year, they made fresh recommendations which, as far as trawling vessels were concerned, did not carry out the recommendations of the Select Committee. They agreed that the trawlers should have a red masthead light, and a white light somewhere in the after part of the vessel. There was a strong feeling among the fishing interest that these regulations could not be carried out. In February he gave Notice of this Motion; but the fishing interest was astonished to find that on the 25th of April another Report—a third edition of the regulations—came out. He considered that Report was only another proof of the ignorance of those who concocted these regulations. The trawling interest objected to them; and in his opinion they would, if carried out, be admirably well calculated to bring about collisions and loss of life and property at sea. The trawlers were to carry a red light at the masthead, and also a white light in the after part of the vessel, somewhere on the gunwale. The red masthead light was not visible at best more than two miles at sea, and on a November night not more than one mile. The white light was certainly visible three or four miles off. Trawling smackowners contended that if this red masthead light were adopted, it certainly would be mistaken for the port light of a sailing vessel. The white light would not be seen in many positions. He was glad to see the Secretary of the Board of Trade present, for he had gone out with him to the North Sea to test these regulations, and he should be surprised if he did not find him in the same Lobby with himself on this question. The Departmental Committee contended that the white light was necessary to prove in what direction the trawling vessel was heading. The witnesses who were examined on the part of the Board of Trade displayed their ignorance as regarded fishing vessels. The white light had been the best means of preventing collisions, and its adoption had been recommended by the Smackowners' Insurance Association. He hoped the right hon Gentleman would take the matter into consideration, and give the trawling trade what they asked for, and which for the last 18 years had proved of the greatest advantage. He begged to move the Resolution of which he had given Notice.

Mr. NORWOOD said, he rose to second the Motion. He spoke as the Representative of a port which contained as many trawlers as any port in the United Kingdom. In the Humber there was something like 900 trawlers. In his own port there were as many as 460 registered trawlers, of a total value of £700,000, and affording employment to 25,000 persons, who were unanimously in favour of carrying the white light. It was said that there was the danger of collision from steamers and other vessels passing up and down and mistaking this light for some stationary light. But there was no possibility of any such mistake. In the first place, because the stationary lights were first class lights, electric in many cases, and with which the fishing lights were not for a moment to be compared. Then, the trawlers fished in large fleets and in well-known ground, and steamers passing up and down the Coast knew where to expect to find them. It was a remarkable fact that with the great traffic up and down the North-East Coast collisions with fishing vessels were comparatively rare. Then, as to the possibility of mistaking the white light of the trawler for the white light of the pilot vessel, he might observe that they rarely had more than four pilot vessels at a time cruising off the mouth of the Humber. The trawlers said they were a vast body, and that if a change was to be made it was reasonable that it should be made in the case of the infinitely smaller body, the pilots. As a Member of the Select Committee of last year, he complained very strongly of the manner in which it had been treated. The question of lights was exhaustively investigated by the Committee—much evidence taken, and an unanimous conclusion arrived at in favour of the white light for trawlers—yet the Board of Trade referred that Report to the consideration of a Departmental Committee, consisting of the Registrar and the Hydrographer of the Admiralty, four members of the Board of Trade, and two Trinity House men, who were under the supervision and control of the Board of Trade. The result was that the unanimous decision of the Select Committee, in which the Secretary of the Board of Trade joined, was overruled by the Departmental Committee. He hoped that the House would insist that their Committee should be treated with respect. He had mentioned one of the best instances of the way in which the Board of Trade had overridden the wishes of the mercantile community, and he hoped that the House would express its opinion on the subject.

Motion made, and Question proposed,

> "That, in the opinion of this House, it is expedient that the recommendations of the Select Committee of last Session on Fishing Vessels' Lights be carried out in accordance with the Report of the Committee, so far as it effects trawlers' lights."—(*Mr. Birkbeck.*)

Mr. CHAMBERLAIN said, he rose early in the discussion, with the hope that the statement he had to make on the part of the Government would be satisfactory to the hon. Members who had moved and seconded the Resolution. The position of the Government in relation to this matter had been stated both publicly and privately on more than one occasion, and the House was aware what that position was; but there seemed to be some confusion in the minds of hon. Members as to Departmental Committees, and the Departments of the Government by which they were appointed. He wished, therefore, to explain that in the case of the Departmental Committee appointed by the Board of Trade the Board did not accept its Report as final, nor, indeed, had they expressed an opinion on the subject. They had, in fact, to consider the antagonistic Reports of two Committees, the Departmental Committee and the Select Committee of the House of Commons. The hon. Member for Hull (Mr. Norwood) had expressed his sense of the disrespect with which that latter Committee had been treated; but it was a Committee appointed at the request of the fishing interests, and of its 11 Members seven represented places in which the trawling interest was powerful. It had done valuable work, no doubt; but it was not a tribunal so impartial as to merit more consideration than the House itself. It was appointed to inquire into the objections urged by persons connected with the fishing interests against the new regulations as to the lights to be carried by fishing vessels. Accordingly, none of its Members represented the shipping interests generally, which interests, however, the Government was bound to consider. If it were a question of fishing vessels alone, there would not be the slightest difficulty. The trawlers were in favour of their present illegal practice of carrying a single white light at the masthead; but representations had been made, both by foreign Governments and by the drifters, who were in favour of a more distinctive light. It was most desirable, if possible, to come to some international agreement in the matter before committing the fishermen of the country to the adoption of any particular light, and with that object he had caused circular letters—[Mr. Norwood: Fishing letters.]—to be sent asking the opinions of various parties interested. No replies had as yet been received from foreign Governments; but from the large shipping firms in this country more than 60 answers had been returned, of which 41 were against the proposal of the hon. Member for North Norfolk (Mr. Birkbeck), and 14, including that of the Peninsular and Oriental Steamship Company, in its favour. In these circumstances, he hoped the House would not come to an immediate conclusion on the subject. The object of the Government was to promote some arrangement by which the lights used should be at once distinctive and self-descriptive, so as to announce three main facts—the kind of vessel, the direction of its head, and its being under command or otherwise. Of course, the peculiarity of trawling vessels was that, though they were under sail and had steerage way, they were not under command, and consequently they required a special light to distinguish them, on the one hand from vessels at anchor, and on the other from vessels under way and under command. It was difficult, however, with the limited number of combinations and permutations of red, white, and green lights, to find a light that would answer the purpose. The objection to the proposal of the hon. Member for North Norfolk was that if trawlers carried white lights they might be mistaken for pilot vessels or for vessels at anchor, while the multiplication of white lights on our coasts would render it more difficult for home-bound vessels to make the shore lights. The hon. Member for North Norfolk had said that the white lights in question had been carried for the last 18 years with perfect safety; but the statistics of the case compelled him to traverse that assertion. The figures showed that during the last three years alone 69 fishing vessels—not all trawlers, as far as he knew—had been sunk in collision, and 49 lives had been lost in consequence. Of these, there were no less than 39 collisions involving the loss of not less than 36 lives, which were collisions with other vessels, and not collisions of fishing vessels *inter se;* and from the evidence brought to his notice he could not doubt that some, at all events, of these collisions, probably the greater part of them, were due to a confusion of lights. Now, the Departmental Committee had made two recommendations. The Departmental Committee and they alone were responsible for those recommendations. He would not trouble the House with regard to the first recommendation of the Departmental Committee. With regard to the second recommendation, they differed from the conclusion of the Committee of the House of Commons. They said, with regard to the masthead, there should be a red light, with a white light below abaft the beams, on the taffrail or some other convenient place, and that the side light should be discontinued. The hon. Member for North Norfolk objected, in the first place, to the red light being at the masthead, because it might be mistaken in many cases for the light of a sailing vessel. It was also objected, he believed, that the white light, which was in the after-part of the ship, would be in the way of the steersman and prevent him from keeping a good look-out. A further objection was that the light would not be seen, because the sail would be in its way. He was not going to discuss those points. He merely wished to put them before the House. He thought they were all agreed, in the first place, that the object he had stated to the House was a desirable one to obtain—namely, that there should be a distinctive light; and he was not unwilling to say that they were all agreed that all the methods of securing that distinctive light which had hitherto been suggested were open to grave objections, and therefore he was not prepared, at the present moment, to adopt the Report of the Departmental Committee, or to adopt any other suggestion which had been made to him. But neither could he, until he had before him the opinions for which he had asked both from foreign Governments and from the shipping interest generally, adopt the conclusion of the hon. Member for North Norfolk. He was not altogether unfriendly to the hon. Member's proposal. He was certainly not unfriendly to the object the hon. Member had in view, and he would suggest to him that he should withdraw his Motion to-night, satisfied with the discussion to which it had given rise; and then he (Mr. Chamberlain) would undertake that as soon as he had obtained the replies to which he had referred, they should be laid on the Table of the House. He would then propose to refer those Papers, as well as all previous Papers on the matter, back to the Departmental Committee; but he would propose to add to that Departmental Committee, to which objection was taken that it was too much of an Official Committee, some hon. Members of the House, as Representatives of the trawlers as well as of the drifters and of general shipping. As to the new Regulations, he would undertake that they should not come into force until a further Report was made.

MR. INDERWICK said, he thought the House ought to feel very much indebted to the right hon. Gentleman for the trouble he had taken on this subject. He hoped his hon. Friend the Member for North Norfolk (Mr. Birkbeck) would accept the proposition of the right hon. Gentleman, it being, of course, thoroughly understood that the House would have an opportunity of discussing the regulations before they came into operation.

SIR EDWARD WATKIN said, it seemed to him that the proposals of the right hon. Gentleman would simply make confusion worse confounded. In his opinion, they had before them all the evidence that was necessary, and they ought to endeavour to make an end of the question as soon as possible. All the witnesses from England, Scotland, and Ireland, said that a white light involved safety, and that red, green, and all the other rubbish, would lead to nothing but confusion. He hoped the hon. Member for North Norfolk would take a division on his Resolution, and thus put a stop to all this useless foolscap Correspondence. The matter should be dealt with without any further delay.

SIR JOHN KENNAWAY said, he thought there was every reason to be satisfied with the tone of the discussion, and with the offer of the President of the Board of Trade, who appeared to be gradually coming round to the views of the hon. Member for North Norfolk, though the right hon. Gentleman had been hampered by the Office over which he presided, and the Reports of the Departmental Committee. The strong expressions of opinion would show him that it was necessary that the matter should be dealt with and settled. The old system had worked well for 18 years, and it was a pity that it was interfered with. The new system would be dangerous, and might cause a great loss of life. There were very few cases in which the lights had been the cause of collision. The difficulties had arisen from the Board of Trade desiring to have a new plan that would be theoretically perfect, for which they were willing to sacrifice one that had worked well. He thought his hon. Friend might be satisfied with the debate without pressing the matter to a division.

SIR WILLIAM FFOLKES said, he had intended giving some account of an experimental trip to sea with the hon. Member for North Norfolk and the Secretary of the Board of Trade; but the speech of the right hon. Gentleman had made it unnecessary for him to do so. When it was said that 30 accidents had happened from trawlers carrying white lights, he should like to ask how many more would occur if they were compelled to carry red lights, which, as it was known, were very inferior to white lights? Their experience of the white light was that it was infinitely clearer than the red light, and was visible at a greater distance, and that notwithstanding that the red light was brought from the Board of Trade and the white light was taken from a fishing smack. A gunwale light in the after-part of the ship was perfectly dazzling to a man there, and it prevented them seeing the hull of a steamer at a distance of 30 yards, although her lights could be seen; and this was on a fairly light night. He should support his hon. Friend the Member for North Norfolk if he pressed the matter to a division.

MR. ASHMEAD-BARTLETT said, it was clear that the balance of argument was entirely on the side of the hon. Member for North Norfolk. The right hon. Gentleman professed to be consulting the shipping interest and foreign nations. The Representatives of the shipping interest had spoken in that House. The success that had hitherto followed the efforts of the Government to obtain the concerted action of the Powers on other questions rendered it doubtful whether they would succeed on this question.

SIR JOHN ST. AUBYN said, that his constituents were of opinion that the Report of the Select Committee should be upheld, and that trawlers should carry a white light. The offer of the President of the Board of Trade was fair and reasonable, and might, he thought, be accepted by the hon. Member for North Norfolk.

MR. WHITLEY said, he hoped his hon. Friend would accept the proposal of the President of the Board of Trade, who had met the matter in a very fair spirit. In the interest of human life it was necessary to make a change.

MR. HENEAGE said, it was not only a question of life, but also a question whether the Board of Trade would put an end to an important trade, because the seamen belonging to the trawlers intended absolutely to refuse to go to sea with the lights prescribed by the Board of Trade. He was glad to find the spirit in which the right hon. Gentleman had made his proposal; he only regretted such an arrangement had not been made sooner. He hoped, however, it would be distinctly understood that there was no disposition to place themselves in the hands of a Departmental Committee whose conclusions a Select Committee of the House of Commons had entirely set aside; and he thought that more consideration should be shown to the Report of that Select Committee, as there was a concurrence of opinion in the evidence of the shipowners, skippers, and insurance officers, with which the Committee unanimously agreed in a Report drafted by their Chairman, the Secretary to the Board of Trade.

MR. EVELYN ASHLEY begged it would be understood that so long as the matter remained in its present state the seamen would enjoy their white light under all the conditions which they themselves preferred. As Chairman of the Committee, he must also state that all the other recommendations in their Report had been carried out with the exception of the white light. His own opinion was certainly in favour of the white light. The Departmental Committee had no disposition to run counter to the decision of the House of Commons' Committee; but as men having considerable experience in the general trade of the country, although not practical fishermen, he thought their opinion was entitled to respect, looking as they did at the question on all its sides, and not merely as a trawlers' question. He hoped the proposal of his right hon. Friend would be accepted in the spirit in which it had been offered.

MR. BIRKBECK, in reply, said, he had hoped that his hon. Friend the Secretary to the Board of Trade would have mentioned to the House the nature of their experience on Wednesday last in the North Sea, and would have told the House that, in his opinion, the recommendations of the Committee could not be carried out. He thought it most unfair that the letter describing the regulations should have been sent to foreign Powers without any intimation to them that the regulations could not be carried out. He trusted he would receive a distinct assurance from the President of the Board of Trade that this important matter would not be settled before the House had been afforded an opportunity of fully discussing it.

MR. CHAMBERLAIN said, that the House would have an opportunity of considering any new regulations that might be proposed—anything that differed from the present practice.

MR. BIRKBECK said, he threw the whole responsibility resulting from this matter on the Front Bench. If disasters occurred from the proceedings of the

Board of Trade, the Government must take the consequences. He begged to withdraw his Motion.

MR. WILSON said, he had made careful inquiry into the subject the House had been engaged in discussing, and would read a telegram he had that day received from a gentleman of high authority resident in Hull, and who had made himself acquainted with the opinions of steamship owners whose vessels made, not dozens, but thousands of voyages across the North Sea. He said—

> "After consulting captains as well as shipowners, we are of opinion that the present lights used in vessels employed as trawlers are good and safe, and that any alteration would cause great confusion, collision, and possible loss of life."

That, he believed, was as reliable as the information that had been procured by the Board of Trade.

EARL PERCY observed, that the House had been placed in a very peculiar and somewhat difficult position by the extraordinary conduct of the Board of Trade. It now turned out that the Reference by the Board to the Departmental Committee was of a very limited character, and that the Committee were entirely precluded from going into the question at large—they could, in fact, only approach the fringe of the matter—and the Board of Trade were at liberty, if they thought fit, to ignore any opinion they might express. The Secretary to the Board of Trade had stated that he did not feel at all aggrieved that his opinion as Chairman of the Committee had been overridden. Well, had he been selected as Chairman, he would certainly feel aggrieved if his opinion were regarded as useless by the head of his own Department. He trusted that in future the Board of Trade would appoint its Committees in such a manner as that they would be in a position to arrive at some definite conclusion on the subjects referred to them.

Motion, by leave, *withdrawn.*

## POTATO CROP COMMITTEE, 1880 (IRELAND).—RESOLUTION.

MAJOR NOLAN, in rising to move—

> "That, in the opinion of this House, it is expedient that Her Majesty's Government should take steps to carry into effect such of the recommendations of the Potato Crop Committee of 1880 as relate to Ireland, by promoting the creation and establishment of new varieties of the Potato; by facilitating the progress of further experiments as the best means of lessening the spread of the Potato Disease; and by bringing within the reach of small farmers supplies of sound seed to be obtained for cash payments,"

said, that the question he was about to bring under the notice of the House of Commons was one of the utmost importance. The value of the potato crop in Ireland was subject to great variation. It was calculated by the Registrar General that in the year 1879 there had been a loss on the crop, as compared with former years, amounting to £6,000,000; while Professor Baldwin, a high authority on the subject, declared the loss to be as high as £8,000,000. It was said that the potato was a precarious crop; but the whole object of his Motion was to make it less precarious. A certain class of persons objected to Government aid being given; but the potato required special attention, and he believed it would be totally impossible for the small farmers of Ireland, unless the Government did something in the matter from time to time, to ensure for themselves a good crop of potatoes. Another reason for Government interference was that the late Government had interfered with very marked success, and, in fact, had behaved very well. The Irish Members initiated the idea that at a time of great emergency new seed should be found, and the late Government took it up and carried it out, for which he thanked them. He gave a great deal of credit to the late Government for what they did on the occasion, because they held the purse-strings and had the majority. Mr. Lowther, who was then Chief Secretary to the Lord Lieutenant, listened patiently to the proposals of the Irish Members and took great pains in carrying them out, and he begged to return that right hon. Gentleman his heartfelt thanks for the assistance he had given. The suggestions which he now submitted were in accordance with the recommendations of a Select Committee of last year, composed not only of Irish Members but of English and Scotch Members interested in the subject. They examined several scientific witnesses, who were all agreed as to the way in which the potato disease was propagated. There was no doubt that it was propagated by means of fungi, each of which gave out millions of spores within 48 hours, and that accounted for the terrible rapidity with which the disease spread. The Government might assist in the determination of certain scientific points which were of great practical importance. One of them was the duration of the life of the potato plant. It appeared to be about 20 years; but Regents were thought to have a little more vitality than others. Champions seemed to be exhausted more quickly than others, because in Ireland the same trouble was not taken about the seed as was taken elsewhere. It was the duty of the Government to see that there was something to take the place of the potato that was being exhausted. It was of no use waiting for a famine before we began to consider what we should do. Where should we have been if Mr. Nicholls had not introduced the Champion? If a cemetery keeper had not taken a fancy to cultivate different seeds, Ireland would have been in a bad position at present. Mr. Nicholls might be called an inventor, only he could not patent his invention. Yes, but if such an invention could be patented, it would be worth people's while to produce new varieties. Because it was not worth anyone's while to produce new varieties, the Government ought to step in, by assisting a society where one existed and taking the initiative where there was none. There were special reasons for the action of the Government in the case of small farmers. Large farmers could choose their own seed. The lowland Scotch brought their seed from high altitudes and kept up the quality by constant changes. The small farmer could do nothing of the kind. His system, according to all the witnesses, was practically destructive; he lost three or four times as much as the large farmer, following the better system. It was the duty of the Government, in the circumstances, to help the small farmer; and the present was a very favourable time for doing it. The efforts might be made through the agency of the Board of Guardians. No seed merchant would send seed to Ireland for several years to come. They could not trust in Ireland to speculation in this matter. What he proposed was that the Boards of Guardians should have power to sell seed to small tenants, who would be enabled at a merely nominal expense to change their seed every second year. The seed should come from Scotland. He hoped the Government would undertake to carry out the Resolution which he had placed on the Paper, and which he begged now to move.

Lord RANDOLPH CHURCHILL said, he rose to second the Motion. He thought the House, and especially those who were interested in Irish affairs, should be much obliged to the hon. and and gallant Member for having brought this important question before the House. In connection with it, the admirable qualities of the potato had been compared with the less nutritious character of Indian meal. After some experience of the use of Indian meal by the poor in Ireland, he could say that when the Relief Committees were at work in the winter of 1879, the only food that could be supplied easily and plentifully was Indian meal. The fear was lest its too exclusive use should produce dysentery and general poverty of blood; and those effects, unfortunately, were found in some of the most distressed districts, and were clearly traced to a diet of Indian meal. Everything showed the necessity of improving the stock of potatoes, and their superiority to meal in a country of which the climate did not permit corn to be grown in any great quantity. The population of Ireland, in consequence of the great failure of the potato crop in 1847 and 1848, was reduced from 8,000,000 to about 5,000,000. After the great Famine of 1847 and 1848 there was no very general failure of the potato crop which caused alarm to the Government of the country until the winter of 1879. The shortness of the crop of 1877 induced the people to take less care than they ought to have done in the selection of the seed for the crop of 1878, and that operated with still greater effect on the spring of 1879.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Lord RANDOLPH CHURCHILL said, if the hon. and gallant Member for the county of Galway had not been in such a hurry to bring his own proposals before the House, the Government would have made proposals which would have been more favourable to the Irish people, and they would not now have been in their position of indebtedness to the Boards of Guardians. Having brought in his Bill, the hon. and gallant

Member obtained the assistance of the Government, because his plan would be less expensive than their own. Then the hon. and gallant Member moved for a Committee to inquire into the cause of the failure of the potato crop——

Mr. A. MOORE rose to Order, on the ground that the noble Lord was making observations which had no bearing upon the Motion of the hon. and gallant Member for Galway.

Mr. SPEAKER ruled that the noble Lord was in Order.

Lord RANDOLPH CHURCHILL thanked the right hon. Gentleman in the Chair for putting down disorderly interruption. With regard to the machinery suggested by the hon. and gallant Member for Galway for relieving the poor people of Ireland, he thought that it would be in the highest degree imprudent to entrust the Boards of Guardians with any further powers or responsibility in the matter. What, he asked, had been the result of the Bill of the hon. and gallant Member for Galway, by which he had placed in the hands of the Boards of Guardians power to raise funds for supplying the people with potatoes? Why, it was notorious that in may parts of the West of Ireland the Boards of Guardians either took no trouble at all to see that proper seed was purchased, or——

Mr. SPEAKER: I understood that the noble Lord rose to second the Motion of the hon. and gallant Member for Galway; but the noble Lord has not yet approached that subject.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Lord RANDOLPH CHURCHILL said, he should not like to submit any reasons to show that Mr. Speaker was incorrect; but the hon. and gallant Member had moved—

> "That Her Majesty's Government should take steps to carry into effect such of the recommendations of the Potato Crop Committee of 1880 as relate to Ireland, by promoting the creation and establishment of new varieties of the Potato; by facilitating the progress of further experiments as the best means of lessening the spread of the Potato Disease; and by bringing within the reach of small farmers supplies of sound seed to be obtained for cash payments."

This, generally, was a Motion which he (Lord Randolph Churchill) wished to second; and he would point out that the hon. and gallant Member was satisfied that the machinery by which these ends could be accomplished was the Board of Guardians, and that was the point to which he was adverting when interrupted. While seconding the hon. and gallant Member's Motion generally, having used the reasons and arguments upon the potato crop which appeared to him to be germane, he now ventured rather to criticize that particular detail, the machinery, which the hon. and gallant Member would adopt. With all respect, he would submit to Mr. Speaker that his remarks approached nearer to the question than would appear to him (Mr. Speaker).

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): Mr. Speaker, I put it to you whether the noble Lord is not trifling with the time of the House?

Sir H. DRUMMOND WOLFF: May I call your attention to the fact, Mr. Speaker, that there are no Members of the Government present but the Legal Representatives of Ireland. I protest against the Solicitor-General for Ireland's interference with the noble Lord.

Mr. SPEAKER: As I informed the noble Lord, I understood that he rose to second the Motion. His observations seem to me to be of a critical character, and certainly not in support of the Resolution.

Lord RANDOLPH CHURCHILL: I was referring to the Boards of Guardians in Ireland; and, if I may be allowed to say so, the Solicitor General for Ireland has not had a very long experience of this House——

Mr. SPEAKER: I must call on the noble Lord not to address himself to an hon. Member, but to the Chair.

Lord RANDOLPH CHURCHILL: Yes, Mr. Speaker; I would put it to you, whether Members, even though they be "right hon." Members, should not leave it to you to call hon. Members to Order, and particularly when they have not had very long experience of the House? If they would not be in such a hurry to interrupt——

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): I rise to Order. I really would ask you, Mr. Speaker, whether the noble Lord is not trifling with the House? And I ask the House whether he is not still more trifling with them by not addressing himself to the Chair?

Mr. SPEAKER: As I have said, the noble Lord must address himself to the Chair.

Lord RANDOLPH CHURCHILL said, he certainly intended to do so, and would, perhaps, be more successful in his attempt if he were not interrupted by hon. Members. He had been saying that the Boards of Guardians had not proved themselves to be the most trustworthy machinery for such a purpose as that stated by the hon. and gallant Member for Galway (Major Nolan). There was a strong belief in Ireland that in many cases the Boards of Guardians had laid themselves open to the suspicion—to say the least of it—of acting from interested motives. This was a fact, and he had no doubt there were Irish Members present who were prepared to say that there was no exaggeration in this statement. He did not think that even the Solicitor General for Ireland could get up and deny it. Whilst agreeing with the hon. and gallant Member in his project, he was justified in criticizing this particular detail. He most strongly objected to any further experiment being made by the Government of the day with the object of entrusting Boards of Guardians with public funds to carry out the wish of the hon. and gallant Member. There were other bodies, no doubt, who would be able to carry out the hon. and gallant Member's object. He was not at all sure that the Grand Jury would not be able to do it. The Grand Jury was composed principally of people interested in the soil. They were landlords, the payment to whom of rent largely depended on the prolific growth of potatoes in a large portion of Ireland. The Grand Jury was also composed of a class of men who would be less liable to imputations of interested motives than Boards of Guardians. No doubt, there were some hon. Members from Ireland who would agree with him in that view. Then, the hon. and gallant Member had drawn the attention of the House to the desirability of "promoting the creation and establishment of new varieties of the potato." It had been discovered and shown almost irrefutably that all the theories about the potato seed being blown about in the air were absurd and rested on no scientific foundation. The fact was that a particular seed, planted and grown in the ordinary method of Irish cultivation — which was not the highest form of cultivation—after a very few years got worn out. In Ireland the soil was not carefully manured and the potatoes were grown in a very careless way; frequently they were not cut up, but put into the ground whole. Year after year this process went on, the worst potatoes being selected for seed and the best for food; and there was no doubt whatever that in about seven years of such treatment as this any kind of potato would become diseased. Of course, where the Champions had been used—whether they had been distributed by the Relief Committees or by the Boards of Guardians—there had been a very satisfactory result; crops almost incredible for their prolific character had been produced. But where the old kinds had been planted—the Regent and the Derry Blue — which were kinds with which, no doubt, some hon. Members were best acquainted, they had turned out most unfortunately, and had not produced the result which had been expected. Therefore, it was very important that the Government should take steps to supply the Irish people, or to assist the Irish people to supply themselves with these Champion potatoes, which appeared to be, with the exception of the Magnum Bonum—[*Laughter.*]—he did not know why hon. Members laughed. It was very extraordinary that they should find anything peculiar in this, because these Magnum Bonums were well known; though it was, comparatively, a rare kind of tuber. It had not been tried in Ireland to any great extent. In England it had proved very successful; and if the Government would take steps to bring these recently discovered kinds, the Champion and the Magnum Bonum, within the reach of the Irish people they would be acting to the advantage of Ireland and taking steps to prevent the recurrence of that distress which we had seen in that country in 1879. Then the hon. and gallant Member proceeded to recommend the Government to facilitate the progress of further experiments as the best means of lessening the spread of the potato disease, and in this he (Lord Randolph Churchill) agreed. No doubt, the Government had at present in Ireland establishments which could be advantageously used for these experiments. As the hon. and gallant Member had pointed out, they had the establishment at Glasnevin — the agricultural farm under the experienced direction of Professor Baldwin. If that agricultural establishment could be turned to some such use as that the hon. and gallant Member suggested, it would be doing more good to the people of Ireland than it had ever yet been the means of doing —for up to the present, although a large expenditure of public money had taken place upon it, the results of the operations at Glasnevin had not been satisfactory. Then the hon. and gallant Member recommended that steps should be taken to bring within the reach of small farmers supplies of sound seed to be obtained for cash payments. Here, no doubt, the hon. and gallant Member recommended a thing extremely desirable; but he would suggest to him that this part of his Motion was a little visionary. Cash payments in Ireland, at the present moment, were not generally obtained; and he was doubtful whether the Government would be justified in making any considerable advances to the Boards of Guardians, in order that they might lend them to the Irish tenants in the hope of obtaining cash payments in return. The state of the country did not appear to be one which would justify the State in embarking in this particular enterprize; and, on the whole, he should be inclined to recommend the hon. and gallant Gentleman not to press too hurriedly on the attention of the House this question of cash payments in Ireland. Generally, with regard to the hon. and gallant Member's Motion, it was not only well deserving of the attention of the House, but it demanded the immediate attention of Her Majesty's Government, because there was no doubt that if the summer of this year proved unpropitious—if we had the continual rain that we had in 1879—there would be a great recurrence of the severe and exceptional distress of that year. The only means by which this severe and exceptional distress could be avoided was by taking steps to improve the cultivation of the potato; therefore, he had much pleasure in seconding the Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, it is expedient that Her Majesty's Government should take steps to carry into effect such of the recommendations of the Potato Crop Committee of 1880 as relate to Ireland, by promoting the creation and establishment of new varieties of the Potato; by facilitating the progress of further experiments as the best means of lessening the spread of the Potato Disease; and by bringing within the reach of small farmers supplies of sound seed to be obtained for cash payments." —(*Major Nolan.*)

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, it was exceedingly to be regretted that the noble Lord, when he had the opportunity, had not availed himself of it to acquire more accurate knowledge of Ireland, and especially of the potato question.

SIR H. DRUMMOND WOLFF rose to Order. He wished to ask whether the Solicitor General for Ireland was in Order in using language of this character to an hon. Member of the House?

MR. SPEAKER: The hon. and learned Gentleman is in Order.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON), continuing, said, having regard to the national importance of the question, and to the particular condition of Ireland, not only now but, unhappily, periodically, the thanks of the House were due to the hon. and gallant Gentleman for introducing the subject to the notice of the House. Whatever might be said about hon. Members for Ireland introducing speculative questions, his hon. and gallant Friend had brought before the House a subject which was of the most vital importance to the very existence of Ireland. Political economy and chemical analysis might tell them that potatoes were very bad things; but as a matter of fact they were the food of hundreds and thousands of men who had shed their blood on every field of battle where honour had been achieved by British arms. Unfortunately, by constantly using the same kind of potato it had become worn out, and the hon. and gallant Gentleman had put before the House a plain and practical question—namely, that inasmuch as they must admit that the people of Ireland would grow and could grow potatoes, that they could and would live largely on potatoes, it must be decided how they were to get seed that would not fail, and how famine was to be avoided. A problem of this kind could, no doubt, be best and most usefully solved by a Ministerial Department for Agriculture and Commerce, to the appointment of which the Government, practically, assented the other day upon the Motion of the hon. Baronet (Sir Massy Lopes). The noble Lord had suggested using the Grand Juries in Ireland for this purpose. He (the Solicitor General for Ireland) did not consider this practicable; they met only twice in the year, at each Assizes, and were only occupied a few days at each meeting. That such bodies could administer any fund for the advantage of the cultivation of potatoes was perfectly impossible. [Lord RANDOLPH CHURCHILL: Why?] The noble Lord asked why? He (the Solicitor General for Ireland) had already stated the reason. Grand Juries were not continuing bodies; they were only nominated at each Assizes; and at those two periods of the year transacted fiscal as well as criminal business, and they had no organization suitable for the objects contemplated by the Motion before the House. With reference to Boards of Guardians, he would submit to the House that they were the bodies who would be the most efficient in administering the Relief Fund suggested; they were acquainted with the individual wants in the various localities, and knew where good seed was required and the best means of obtaining it. What was wanted in Ireland was fresh and not worn-out seed. The hon. and gallant Gentleman (Major Nolan) would probably agree with him that the experiments he suggested would be most effectually carried out by the National Agricultural Society rather than by a Government Department. If agricultural schools existed, they might have been made useful for this purpose; but the only institutions of this kind in Ireland had been the agricultural schools in connection with the National Board, and their history, he was sorry to say, had been of a most unpromising character. [Lord RANDOLPH CHURCHILL: Question!] The noble Lord cried "Question!" He was sorry to see the noble Lord failed still to grasp the real question. The agricultural schools at one time flourished very successfully in Ireland.

LORD RANDOLPH CHURCHILL: I wish to know, Sir, if the Solicitor General for Ireland is in Order in turning his back on the Chair when addressing the House?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): The interruption of the noble Lord, which I presume the Speaker will take no notice of——

LORD RANDOLPH CHURCHILL: After the observation of the hon. and learned Gentleman, I must ask you, Sir, is it competent for a Member of the House to turn his back on the Speaker when addressing the House?

MR. SPEAKER: It must be within the knowledge of every Member of this House that the Chair is to be addressed.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that no one could for a moment imagine that he intended disrespect to the Chair by any position in which he might stand when addressing the House. He was about to say that the agricultural schools in connection with the National Board fell through because the education given in them was of too theoretical a character. There were now but two agricultural schools in Ireland which survived, and that in Cork would have been actually given up had it not been for the great exertions of the Agricultural Society. The course suggested by the hon. and gallant Gentleman to improve the potato crop in Ireland could not be successfully carried out at this moment, and he hoped the hon. and gallant Member would be satisfied with having ventilated the question, and with having obtained the assurance that he might depend upon it that the Department of Agriculture and Commerce would, when appointed, take the subject in hand. At present there was no immediate necessity for action, for the potatoes were now not only above the ground, but he was glad to say they promised to yield a good crop.

MR. GIVAN said, that with regard to the speech of the noble Lord, he must express his surprise that the time of the House was trifled with to such an extent. It was melancholy in the state of Public Business to see the time of the House deliberately wasted by the noble Lord. He disapproved of the suggestion of the noble Lord that any fund for the distribution of seed potato should be entrusted to the Grand Jury in preference to the Boards of Guardians. His hon. and gallant Friend had suggested a very sensible and practical mode in which provision might be made out of the public funds to secure suitable and good seed potatoes in Ireland. Only a grant of £200 would be required, and he hoped the Government would, at any rate, accept the proposal in a modified form.

MR. MITCHELL HENRY said, if they had to wait till the establishment of a Board of Agriculture, or Minister of Agriculture, they would have to wait long enough, he was afraid, for the experiment. There were several bodies in Ireland who might make the experiment as to the growth of new varieties of potatoes. Several agricultural bodies already did so; but there was a powerful body in Ireland which probably possessed larger funds than any other body in that part of the Kingdom, and which was constituted for the purpose of promoting the interests of the tenants of Ireland—he referred to the Land League. Seeing opposite hon. Gentlemen who had a good deal to do with that Association, and who had some influence over its funds, he could not lose the opportunity of suggesting to them that these experiments might be very wisely performed by them. If they could discover for the small farmers the best kind of potatoes to cultivate for the purpose of eking out their living, they would do that which all the world would consider patriotic; and he was quite sure they would find a solace in the endeavour for the heated contests in which they had been so long engaged.

MR. A. MOORE said, it had been clearly demonstrated by evidence that one kind of potato could not be expected to last more than 12 years. The Champion was a great success, but it could not be expected to last for more than 20 years at the most; and in the meantime efforts ought to be made to propagate a new species. A very large sum of money was annually spent at Kew; he would suggest that some portion of that money be devoted to the propagation of new varieties of potatoes. He wished to suggest that Boards of Guardians in Ireland should be enabled to sell fresh seed at cost price.

MR. CALLAN said, no hope had been held out to them by the Solicitor General for Ireland that the course suggested by the hon. and gallant Gentleman (Major Nolan) would be adopted. There were some Members in the House who, whenever an Irish subject was introduced, felt bound to drag in the Land League. The hon. Member for Galway (Mr. Mitchell Henry) had suggested that the funds of the Land League should be devoted to the experiments under discussion. As far as the Land League was concerned, the hon. Member reminded him of a character in "David Copperfield"—Mr. Dick, who never could get Charles I. out of his head——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter
before One o'clock,
till Thursday.

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# HOUSE OF LORDS,

*Thursday, 2nd June*, 1881.

MINUTES.]—SELECT COMMITTEE—Stationery Office (Controller's Report), *nominated.*

PUBLIC BILLS—*Second Reading*—Local Government (Gas) Provisional Orders* (93); Local Government Provisional Order (Birmingham)* (94); Local Government Provisional Orders (Brentford Union, &c.)* (95).

*Committee—Report*—Local Government Provisional Orders (Poor Law) (No. 2)* (88).

## PORTUGAL—THE LOURENCO MARQUEY TREATY, 1879—RATIFICATION.

### QUESTIONS. OBSERVATIONS.

LORD LAMINGTON, in rising to ask the Secretary of State for Foreign Affairs, Whether the Lourenço Marquey Delagoa Bay Treaty of May 1879, between Great Britain and Portugal has ever been ratified; and also what our present position is as regards the power of embarking and disembarking troops in Delagoa Bay with a free passage through Portuguese territory to the Transvaal? said, in putting the Question, he hoped that he should be permitted to remind their

Lordships that for upwards of 30 years there had been a dispute between this country and Portugal with regard to the Province of Lourenço Marquey and Delagoa Bay. That dispute was in 1875 referred to the arbitration of the then President of the French Rupublic, Marshal MacMahon, who eventually decided the point in issue in favour of Portugal. The matter at that time was not one of much importance, as the Transvaal was then an independent Republic ; but afterwards—that was to say, in 1877—it did become a matter of very considerable importance to us, because the port of Lourenço Marquey, in Delagoa Bay, was not only one of the finest harbours on the East Coast of South Africa, but in the world. The Province of Lourenço Marquey lay between the Transvaal and Delagoa Bay, which was the natural port of the Transvaal; so much so, that when the decision of Marshal MacMahon was pronounced in 1875, the Republic of South Africa at once entered a protest against it, and that was one of the causes of the outbreak, because the inhabitants of the Transvaal were cut off from Delagoa Bay, and were compelled to make use of Durban, the port of Natal, and to pay all the transit dues levied upon goods passing through the Province of Natal. It, therefore, became of great importance that we should secure a passage over Portuguese territory to Delagoa Bay, and, consequently, in 1879, we entered into the Treaty with Portugal to which his Question referred. He now wished to know, Whether that Treaty had been ratified. He also wished to ask, If the commercial Treaty and railway contract, concluded between the Portuguese Government and President Burgess, has been carried out since the annexation of the Transvaal?

THE EARL OF KIMBERLEY: My Lords, before answering the Questions put by the noble Lord, I wish to set him right upon a point on which he is under a misapprehension as to the effect of the award of Marshal MacMahon. It is supposed that by that award the bay and town of Lourenço Marquey, which were previously claimed by the British Government, were handed over to Portugal. But the British claim never extended to the whole of the bay, but only to the southern part of it, and did not include the part near the town of Lourenço Marquey or the district where the proposed railway was to be constructed, which were always recognized as Portuguese. My answer to the first Question is that the Treaty was ratified some time ago by this country, when the late Government were in Office; but, although every effort has been made by Her Majesty's present Government to get the Treaty ratified, it has not yet been ratified by Portugal. It is necessary, according to the law of Portugal, that the Treaty should be assented to by the Legislature. The House of Representatives has passed a Resolution adopting the Treaty; but the House of Peers has not yet considered it, and the Treaty has met with violent opposition in Portugal, owing to its provisions and intentions being misunderstood. In the present state of affairs it has been agreed that its further consideration should be postponed. The answer to the second Question is that we have no right to embark or disembark troops on Portuguese territory, or to send troops by way of Delagoa Bay to the Transvaal. The question was dealt with in the Treaty; but, inasmuch as the Treaty was not ratified, no such right exists. As to the last Question, a Commercial Treaty and Protocol, and not a railway contract, was concluded with the President of the South African Republic in 1875; but that treaty fell to the ground on the annexation of the Transvaal, and was intended to be replaced by the Treaty which has not been ratified.

## NAVY—THE NAVAL BRIGADE—MEDALS FOR THE FRONTIER WAR, 1877-8, AND THE ZULU WAR, 1879.

QUESTION. OBSERVATIONS.

LORD CHELMSFORD, in rising to ask the First Lord of the Admiralty, Why such a delay has taken place in the distribution of the medals to the officers and men of the Royal Navy and of the Marines who were employed on shore in the Naval Brigade during the Cape Colony and Zulu wars of 1878-79? said, that when in command of the British Forces in South Africa he had received such efficient support from the Sister Service that he was anxious that no greater delay than was absolutely necessary should occur in the presentation of these honorary rewards to the men of the Naval Brigade for their gallant services. The General Order granting a medal for service in South Africa during the years 1877-8-9 was issued to the Army in the month of August, 1880, and the first distribution of medals to Staff and other officers took place in September of the same year. The 1st Battalion 24th Regiment received their medals in December, 1880, and there were, at the present time, only two regiments who had not received it; whilst, as he understood, not one medal had as yet been issued to the Navy. The Naval Brigade consisted of bluejackets and marines from the *Active*, *Shah*, *Tenedos*, and *Boadicea*. The two former ships had been paid off; the *Tenedos* had been home since the war was over, and was now in the West Indies; and the *Boadicea* had its headquarters at Simon's Bay. He could not, therefore, see why the distribution of medals for those entitled to receive them should not have been made as quickly as was the case in the Army. It must be remembered that honours and rewards for campaigns only reached a small minority, and that the great majority of those who took part in them had nothing to look forward to but the medal as a reward for their services.

THE EARL OF NORTHBROOK: My noble and gallant Friend would have been more accurate in the contrast which appears in the Notice of his Question between the issue of medals to the Army and to the Naval Brigade for the Cape and Zulu wars of 1878 and 1879 if he had said, as he has now explained, that some of these medals had been distributed to the Army six months ago, instead of implying that all had been then distributed. The fact is, that although the distribution of medals to the Army commenced some time ago, it is not concluded, and two regiments have not yet received them, owing to the necessary delay in engraving the name of each man on his medal. As regards the Navy and Royal Marines, there were some doubts as to the rules under which the medal and the clasp were to be given to the different ships employed in the operations, which made it necessary to refer to the Commodore at the Cape, and also the Commodore preceding him (Sir Francis Sullivan). As soon as answers were received from those, the nominal rolls had to be made out, and in doing this the Admiralty have more difficulty than the War Office, for seamen do not remain together like soldiers in a regiment; and it took three months, from February till May last, to complete the rolls. They were completed about a fortnight ago, and sent to the Commissary General at Woolwich, and I am informed that 200 medals are ready for issue to H.M.S. *Boadicea*, and that the remainder are daily expected from the Mint. I do not think that any blame can properly be attached to the officers of the Admiralty Departments on account of the time which has been taken in this matter. Although I admit that it is highly desirable that such rewards should be conferred promptly, it must also be remembered that great care is required, both in settling the service for which medals should be given, and also to prepare accurate lists of the men who are entitled to them.

House adjourned at a quarter before
Six o'clock, till To-morrow
Two o'clock

## HOUSE OF COMMONS,

*Thursday, 2nd June*, 1881.

MINUTES.]—WAYS AND MEANS—*considered in Committee*—£5,952,300, Consolidated Fund.

PRIVATE BILL (*by Order*) — *Third Reading* — Lea Bridge, Leyton, and Walthamstow Tramways*, and *passed*.

PUBLIC BILLS—*Ordered*—Commons Regulation (Shenfield) Provisional Order*.

*Ordered—First Reading*—Poor Relief and Audit of Accounts (Scotland) [182].

*Second Reading—Referred to Select Committee*—Erne Lough and River* [171].

*Committee*—Land Law (Ireland)* [135] — R.P.; Alkali, &c. Works Regulation [119]—R.P.

*Committee—Report*—Newspapers (Law of Libel) [5].

### QUESTIONS.

### INDIA—THE INDIAN CRIMINAL CODE.

MR. O'DONNELL asked the Secretary of State for India, Whether his attention has been drawn to the proposal to incorporate in the Indian Criminal Code, as permanent Clauses, the provisions of certain Acts of the years 1817 and 1818, by which the Governor General of India, or Lieutenant Governor of a Presidency may imprison at pleasure, without trial, for any period, any person suspected of being concerned in any commotion or agitation in British India, or any protected Native State; and also to attach for any period at pleasure any property belonging to such person, without any appeal to any court ordinarily having jurisdiction in cases of property; whether the only exceptions in the whole of India to the permanent operation of the proposed coercions are delared to be the European subjects of Her Majesty in India; whether the passing of such a measure of coercion exclusively against the Natives of India has received the sanction of the Home Government; and, if so, whether he will state the grounds for reviving in the present year Coercion Acts of extreme severity, dating from the years 1817 and 1818, at a time of general war in India?

THE MARQUESS OF HARTINGTON: Sir, at the suggestion of the India Office, the Government of India has been engaged for some time in preparing a Bill for the purpose of consolidating and amending the Indian Criminal Code. The Bill has recently been received at the India Office, and my attention has been called to the point referred to by the hon. Member—that provisions of certain Acts passed in 1817 and 1818 had been incorporated in the Bill. As those Acts did not form part of the Criminal Law, it appeared open to doubt whether they ought to have been included in the Bill for the consolidation of the Criminal Law. The attention of the Government of India will be directed to the point.

## TREATY OF WASHINGTON—THE FORTUNE BAY FISHERY DISPUTE.

SIR HENRY HOLLAND asked the Under Secretary of State for Foreign Affairs, If it is true that the negotiations as to the Fortune Bay fishery disputes have been concluded; and, whether he can state to the House the terms agreed upon?

SIR CHARLES W. DILKE: Sir, the Papers which are about to be presented to Parliament will show that there has been an active correspondence with the Government of the United States as to the best means of settling this matter. In February, the United States Government proposed that the claims of American fishermen should be assessed by the United States Secretary of State, Mr. Evarts, and Sir Edward Thornton, either Government reserving the question of its Treaty rights. Lord Granville accepted that proposal; but intimated that it might be preferable for him to name a lump sum, and thus secure a prompt arrangement with a view to coming to an understanding with the United States Government as to the regulations to be observed by the fishermen of the respective countries in the coming fishing season. Mr. Evarts concurred, and the United States Minister in London was thereupon informed that Her Majesty's Government were ready to hold the sum of £15,000, or $75,000, at the disposal of the Government of the United States, on receiving his assurance that it was accepted in full of all claims arising out of any interruptions of American fishermen on the coast of Newfoundland and its dependencies up to the present time, and without prejudice to any question of the rights of either Government under the Treaty of Washington. Lord Granville felt bound to ask for an assurance covering all claims, as notice had been received from the United States Government of other claims besides those of the Fortune Bay fishermen, and it was possible that there might be others forthcoming. Mr. Evarts demurred to giving this assurance, though he said he had no reason to believe there were any other claims than those presented, which were estimated by the claimants, including interest, to amount to about $120,000. The Administration at Washington having changed on the 4th of March, the negotiations were resumed with Mr. Blaine, Mr. Evarts' successor, who, after some discussion as to the sufficiency of the sum offered, has now consented to give the required assurance in full, and has also agreed to come to an understanding with Her Majesty's Government as to the fishery regulations for the future. Her Majesty's Government are in communication with the Government of Newfoundland, the Governor of Newfoundland and the Premier (Sir W. Whiteway) being in London, and are in hopes that by a proper system of fishing regulations, and by due notice being given to the Newfoundland fishermen of the rights to which American fishermen are entitled, any occasion of collision or misunderstanding for the future may be obviated.

### COURT OF BANKRUPTCY (IRELAND).

MR. FINDLATER asked Mr. Attorney General for Ireland, If he is aware of the very serious inconvenience and delay caused in the Court of Bankruptcy in Ireland by reason of the inability of the existing staff to dispose of the business; and, if the Government are taking any, and, if so, what steps to appoint a successor to the late chief clerk of the court, who died over three months ago?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, I am aware that serious inconvenience and delay has been caused in the Court of Bankruptcy in Ireland, owing to the fact that there is no power at present of appointing a successor to the late chief clerk. I have, however, given Notice of a Bill to amend the law relating to the official staff of the Court, one of the objects of which is to meet the inconvenience to which the hon. Member has drawn attention.

### POOR LAW—PAUPER SCHOOLS (METROPOLIS).

MR. MACFARLANE asked the President of the Local Government Board, If he will lay upon the Table a Return showing the cost of educating and maintaining Pauper Children in the Schools belonging to the Metropolitan Workhouses; the Return to include the cost of the establishments, and also the amounts allowed by the Guardians of the different Workhouses to other Schools to which Pauper Children are sent?

MR. DODSON, in reply, said, that in the last annual Report of the Local Government Board for 1879-80, on page 396 and the following pages, would be found a statement with respect to the cost of education of pauper children in the Metropolitan district schools. A similar statement would be found in the Report for 1880-1. But the statements did not include the amount paid by Guardians for pauper children in the other schools. If the hon. Member wished to have that information, and would move for a Return, he should be happy to give it him. He should be happy to confer with him as to the form of the Return.

### TRADE AND COMMERCE—THE NEW FRENCH GENERAL TARIFF.

SIR R. ASSHETON CROSS (for Lord JOHN MANNERS) asked the President of the Board of Trade, If he will be good enough to give instructions for the preparation of a Memorandum explanatory of the changes made in the new French Tariff in the duties levied on articles of agricultural produce similar to the introduction, explanatory of those levied on goods and manufactures, prefixed to the new French Tariff, No. 253?

MR. CHAMBERLAIN: Sir, the introduction that has been attached as a preface to the comparative Return of French Customs duties in the new Tariff was intended to show the principal changes in the duties on articles of British produce and manufacture which are exported to France in any quantity; and there being no such articles of agricultural produce imported into France from this country, agricultural products were not mentioned. A supplementary statement showing the changes in these duties could be prepared; but, as all the figures are given in the body of the Return, it would seem hardly desirable to do so.

### SOUTH AFRICA—THE TRANSVAAL—MONTSUINE AND THE BOERS.

MR. GORST asked the Under Secretary of State for the Colonies, Whether his attention has been called to the following statement in the "Standard" on May 28th:—

> "In a letter from Montsuine to General Wood he says that he has been obliged to take up arms owing to the Boers instigating his enemies to attack him, because he was faithful to the English during the war. He wants to know what measures the Commission intend to take for his protection;"

and, whether such letter has been received; and, if so, what answer has been sent to Montsuine?

MR. GRANT DUFF: Sir, we have not heard that any such letter has been received by Sir Evelyn Wood. Of course, if the letter was received by him at the date mentioned by the hon. and learned Member, it would not reach us for some considerable time to come.

### THE BRITISH MUSEUM—LOAN OF OBJECTS OF ART FOR TEMPORARY EXHIBITIONS.

MR. MAGNIAC asked the Right Honourable Member for Cambridge University, Whether it is the case that by reason of the Acts constituting the British Museum it is impossible to remove, even temporarily, objects of art therein deposited to any other National Museum; and, if so, whether this prevents the formation of exhibitions of classified objects which have conduced materially to the amusement and instruction of the nation; and, whether any remedy short of an Act of Parliament can be applied?

MR. SPENCER WALPOLE, in reply, said, that on more than one occasion the Trustees of the British Museum had consulted the Law Officers of the Crown upon the point referred to in the Question of the hon. Member, and they had been invariably advised that they were bound to keep all these objects within the Museum. There was, therefore, no remedy for the present state of things but to change the law—if that should be deemed advisable—by passing a fresh Act of Parliament.

## EDUCATIONAL ENDOWMENTS (SCOTLAND) BILL.

MR. J. A. CAMPBELL (for Mr. COCHRAN-PATRICK) asked the Vice President of the Council, Whether it is his intention to proceed with the Educational Endowments (Scotland) Bill this Session?

MR. MUNDELLA: Yes, Sir; it is most certainly the desire and intention of the Government to proceed with the Bill this Session, and it will be a great disappointment to us if the measure fails to pass before the rising of Parliament. We hope, after Whitsuntide, to devise means for effecting this, without interfering with the progress of the Land Law (Ireland) Bill.

## VALUATION LISTS (IRELAND).

MR. LEAMY asked Mr. Attorney General for Ireland, If it is the fact that the forms of Valuation Lists supplied by the Commissioners of Valuation to the Waterford Union do not give the value of lands independently of buildings but include under the one head the value of both lands and buildings; and, if so, can he state why forms differing in such important particulars from the forms used in the Valuation Office and supplied to the North Dublin, Balrothery, and other unions, should be furnished to the Waterford Union; and have not the guardians of the Waterford Union requested to be supplied with forms containing separate headings for buildings and lands; and, can he give the reason, if any, why such request has not been complied with?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, the facts are as stated in the Question. The existing form, which has been in use for 20 years, has been approved of, pursuant to the statute, by the Lords Commissioners of Her Majesty's Treasury, and contains all necessary particulars for rating purposes. The county of Dublin, however, has to be treated differently from the rest of Ireland, owing to the fact that it contains several separate townships where there are special rates levied on houses only.

## MUNICIPAL BOUNDARIES COMMISSIONERS (IRELAND)—THE REPORT.

MR. LEAMY asked Mr. Attorney General for Ireland, If he can say when the Report of the Municipal Boundaries Commissioners, dealing with Waterford, Limerick, Londonderry, Drogheda, and Belfast, will be presented to the House?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): The Chairman of the Commission informs me, Sir, that he is "working as hard as he can" to complete the second volume of this Report, which deals with all the towns mentioned in the Question; but he is as yet unable to fix any specific date on which it can be presented to Parliament.

## LAND LAW (IRELAND) BILL AND THE LANDED ESTATES COURT—CONDITIONS IN CONVEYANCES OF LAND UNDER SALE.

MR. HEALY asked the First Lord of the Treasury, Whether under the Land Law Bill as it now stands, it will be necessary that in sales of land in the Landed Estates Court, the conveyance from the Court, in setting forth the tenancies to which the property may be subject, must state when such tenancies are held under statutory conditions that such is the case; whether if the conveyance does not state this, he has considered that all statutory terms created by the Court under the Bill will be liable to be defeated; whether after the passing of the Land Act of 1870 a similar question did not arise with regard to the Ulster tenant right custom; whether, in consequence of an expression of opinion of one of the Judges of the Court of Appeal in Ireland, an Act to amend the Land Act of 1870 (34 and 35 Vic. c. 92) had not to be passed making it unnecessary to state in Landed Estate Court conveyances that holdings were subject to the Ulster custom; and, whether therefore, the Government intend to introduce an express provision into the present Land Bill to prevent the same difficulty from arising with regard to statutory terms?

Mr. GLADSTONE, in reply, said, he did not in the least degree wish to disparage the importance of the point raised in the Question; but he hoped he would be permitted to adjourn any treatment of it until it came into its proper place in Committee on the Bill. It would cause great confusion if he were to make future portions of the Bill the subject of reply to Questions.

## PRISONS (IRELAND)—KILMAINHAM PRISON.

Mr. T. P. O'CONNOR (for Mr. Sexton) asked Mr. Attorney General for Ireland, Whether he is aware that the sanitary accommodation in Kilmainham Prison is insufficient and filthy; whether he will give his early attention to the subject; and, whether, especially, he will cause the sanitary appliances of the Prison to be increased in number and kept in good order?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, I have received a Report on this subject from the General Prisons Board. The sanitary accommodation in Kilmainham Prison is stated not to be either insufficient or filthy. On the contrary, the sanitary appliances are, I am informed, adequate and kept in perfectly good order.

Mr. T. P. O'CONNOR said, that his information was entirely the contrary of the right hon. and learned Gentleman's statement.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — ARRESTS OF BOYS.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is true that three brothers have for some time been lying in Limerick Gaol under the Coercion Act, of whom the eldest is not twenty years of age, and the youngest sixteen; and, whether he will now allow the suspected juveniles to be released, in order that they may be sent to school somewhere?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, I assume that the Question has reference to William, Patrick, and Lawrence Quinlan. Before the hon. Member gave Notice of his Question the attention of his Excellency the Lord Lieutenant had been called to the matter, and he has been pleased to order the discharge of Lawrence, the youngest brother, but finds no ground for discharging either William or Patrick, both of whom are considerably over 20 years of age.

## PROTECTION OF PERSON AND PROPERTY (IRELAND) ACT, 1881 — ARREST OF MICHAEL KELLY.

Major O'BEIRNE asked Mr. Attorney General for Ireland, If he will state on what grounds Michael Kelly, of Drum Kieran, county Leitrim, was arrested, on the 9th March last, under the Protection of Person and Property (Ireland) Act; if a careful investigation into the circumstances of the crime which caused his arrest was made by the county inspector, resident magistrate, and sub-inspector of the district; whether it is a fact that previous to his arrest Michael Kelly had borne a good character; and, if the authorities under the Local Government Board have given out-door relief to the prisoner's family?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, Michael Kelly, of Drumahaire, not Drum Kieran, was arrested, as stated in the Lord Lieutenant's Warrant, and in the Return presented to Parliament, pursuant to the Protection of Person and Property Act, on the ground of being reasonably suspected of having, since the 30th September, 1880, been guilty, as principal, of a crime punishable by law—that is to say, assaulting and beating one of Her Majesty's subjects—committed in a prescribed district, and being an act of violence, and tending to interfere with the maintenance of law and order. Careful investigation was made into the circumstances of the crime which caused his arrest. Previous to his arrest he had borne a bad character, and had been repeatedly convicted at petty sessions for assaults and other breaches of the peace. The Local Government Board have not received any application from the Guardians of the Union in which Drumahaire is situated for authority to give outdoor relief under Section 2 of the Protection of Person and Property Act.

### CONSPIRACY AND PROTECTION OF PROPERTY (IRELAND) ACT, 1875—P. M'MANUS.

Mr. T. P. O'CONNOR asked Mr. Attorney General for Ireland, Whether P. M'Manus was tried at the Drumshambo Petty Sessions on the charge of taking part in a riotous and unlawful assembly on January 2nd last; whether the charge was not dismissed; and, whether he has not since been arrested and imprisoned in Kilmainham for precisely the same alleged offence?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, M'Manus was charged at Drumshambo Petty Sessions with the offence of intimidation under the Conspiracy and Protection of Property Act, 1875; but the ground of his arrest and imprisonment in Kilmainham, as appears by the Warrant, is riot and unlawful assembly.

### PEACE PRESERVATION (IRELAND) ACT, 1881—ARMS LICENCES.

Mr. T. P. O'CONNOR asked Mr. Attorney General for Ireland, Whether it is a fact that Mr. Denis Hogan, of Ballyvaughan, county Clare, has been refused licence by Mr. D. B. Franks, the resident magistrate of the district, although he presented a certificate of character and of his fitness to carry arms assigned by two magistrates of the district?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Yes, Sir; Mr. Denis Hogan applied to Mr. Franks, R.M., and licensing officer of the Ballyvaughan district, for an arms licence under the 4th sub-section of the 4th clause of the Peace Preservation (Ireland) Act, 1881; but the certificate which he produced did not comply with the requirements of that enactment, and the magistrate, therefore, declined to act upon it.

### CROWN LANDS—THE STAGSDEN CROWN ESTATE.

Mr. JAMES HOWARD asked the First Lord of the Treasury, Whether, after the additional information which has been supplied to him in respect to the Crown Estate at Stagsden, Bedfordshire, he is prepared to grant the inquiry into the management of the said Estate asked for in the House on 20th May?

Lord ELCHO asked the right hon. Gentleman the Prime Minister, before he answered the hon. Member for Bedfordshire, to allow him to put a further Question: Whether, since his last statement on the subject, in which his right hon. Friend had said there was nothing like hardship or severity inflicted in the general management of the estate, any additional information had been received from Mr. Gore; whether the right hon. Gentleman had any reason to doubt the general accuracy of the Report which had been made to him by the Department of Woods and Forests; and, whether, if he had received any further information on the subject, he would kindly state from what quarter it had come?

Mr. GLADSTONE, in reply, said, that since he made a statement on this subject, it had been made known to him that a certain error, not of very great consequence, had crept into it. In the summary he gave him, Mr. Gore omitted to deduct the acreage of plantations and other allotments, and in consequence the average rental was misstated by him at 25*s*., instead of which it ought to have been 28*s*. Apart from that error, which was admitted to have taken place since that time, his hon. Friend the Member for Bedfordshire (Mr. J. Howard) had supplied much information which he relied upon to a different effect. In this conflict of opinion it would certainly not be right for him (the Prime Minister) to propose that there should be an inquiry into the management of this particular estate, because that would imply an unfavourable judgment with regard to the statement of Mr. Gore, in whom they reposed as much confidence as in any public officer; but, on the other hand, in justice to his hon. Friend, he thought the proper course would be this—not that he (Mr. Howard) should be dependent on a verbal statement made by him (Mr. Gladstone), but that Mr. Gore should make a special Report with regard to this estate. When that Report was made, his hon. Friend would form his own judgment on the points with which he had to grapple, and the House would also be put in possession of the facts, and in a position to judge of them.

MR. JAMES HOWARD (who rose amid some interruption) said, that, to put himself in Order, he would conclude with a Motion. He had been many years a Member of the House, and he thought there were few Members who would charge him with having wasted its time. He would not have taken the present course if he did not feel that he owed a duty to a certain number of his constituents that he should call attention to this subject. In this matter he had been met in the most unfair manner by the Government. In the first place, when he brought the question privately under their notice, he was met by the most erroneous statements, which, however, he was at once able to disprove; and then, when he asked a Question in the House, the Premier made a statement based upon an over-estimate of the size of the estate to the extent of 25 per cent, which completely upset all his other calculations; and the House was left with the impression that he (Mr. Howard) had brought forward a trumped-up case. He would tell the House some of the leading facts of the case. This estate was purchased by the Crown seven years ago from the trustees of Lord Dynevor; and since then the imperious treatment and the rack-renting of the tenants had been a public scandal throughout the county. Not long since one of these tenants committed suicide, leaving behind him a memorandum, which was so shocking that he would not read it to the House. [*Cries of* "Oh!" *and* "Read!" *from the Irish Benches.*] Well, if the House desired to hear it, the memorandum was, so far as he remembered, to the effect that the Crown Agent was his murderer; and there was evidence produced at the Coroner's inquest to show that this man had repeatedly declared that he could not live under the Crown. The Prime Minister had understated the rent of this unfortunate man, and had said nothing about the tenant having to pay the tithe, insurance, and other matters. The rent altogether was 38*s.* 5*d.* per acre, and this for some of the poorest land in Bedfordshire. He would also let the House know what other tenants on the estate had to say.

LORD RANDOLPH CHURCHILL rose to Order. There was a Notice of Motion on the Order Paper in the name of the hon. Member for Cardiganshire (Mr. Pugh), who proposed to move to reduce the salaries of the officials of the Woods and Forest Department by £2,100. The Notice of the hon. Member would raise the whole question now being dealt with by the hon. Member for Bedfordshire. He wished to know, therefore, whether that hon. Member was in Order in anticipating the judgment of the House?

MR. SPEAKER: The Notice of Amendment referred to by the noble Lord is not of a character to exclude the observations of the hon. Member for Bedfordshire.

MR. JAMES HOWARD said, he would mention several other cases in which the rents on the estate had been greatly raised by the Crown Agents. For instance, in another case, a farm had been in occupation of a family for more than a century. The original rent was £323; in 1854 the farm was re-valued, and raised to £432; but in 1874, when the Crown came into possession, the agent, Mr. Clutton, raised the rent to £808, besides miscellaneous charges for drainage, fire insurance, and so forth, making £838 in all. Again, in another instance, the rent was raised from £771 to £1,140; in another, from £299 to £521. The tenant of this last-mentioned farm was 76 years of age, and he was allowed just one month to decide whether he would sign the lease, of which he disapproved or be turned out of his farm. But the imperious conduct of the Crown Agents was not confined to the tenants upon the estate; for they did not scruple to set the rural sanitary authority, of which he (Mr. Howard) himself had been a member, at defiance, and, rather than carry out the orders of that body, they had pulled down between 20 and 30 cottages. All he wanted was an inquiry into the circumstances by an impartial body. Was it to go forth to the country that respectable tenants, holding under the Crown, were to be treated as vassals, as they had been, and to be rack-rented in the fashion he had described, and yet an inquiry into the facts refused; and this, forsooth, under a Liberal Government! He would never rest until the facts of the case were fully before the public. The hon. Gentleman concluded by moving the adjournment of the House.

The O'DONOGHUE seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. James Howard.*)

Mr. GLADSTONE, in reply, said, he gathered from the speech of his hon. Friend (Mr. J. Howard), that he attributed to him the responsibility for the statement he had made and the interruptions it had caused. He could only say that he was very sorry if, in any of the particulars of his answer to his hon. Friend, he had failed to satisfy his hon. Friend. It was not intended, and he was still more sorry that he had obliged the hon. Member to make the Motion. His hon. Friend had said that he was not one of those who were in the habit of wasting the time of the House, and that he (Mr. Gladstone) believed to be entirely true; but if that were to imply that those hon. Gentlemen who had not been in the habit of wasting time were to choose the present juncture to begin the habit of taking up the time of the House, the position of the House in regard to Business, which was already serious, would become woeful indeed. As to the immediate subject of the Motion for Adjournment, he might say that he had not measured the estate or inspected the books; and his hon. Friend had had the advantage, whatever it might be, of putting forward a number of statements which he had, no doubt, given in perfect good faith, but in regard to the correction of which, or the filling up of which, or the further illustration of which, no person in the House at that moment, he would venture to say, was in a position to take any action. In these circumstances, he trusted that the House would reserve its judgment, and that his hon. Friend would see the propriety of withdrawing his Motion. He ventured to think that if his hon. Friend would allow the matter to go forward in the manner suggested—namely, by obtaining a statement from the proper officer responsible, that would be a preferable mode of dealing with the subject. The error of stating that the rent was 25*s.* an acre, instead of 28*s.*, was not an error of the proper officer, but an error committed by those who made the summary for him (Mr. Gladstone) in the statement he made. With regard to what had been said as to the cruel suffering of tenants of the Crown, he would only venture to say one thing, and he thought it absolutely necessary to say it, and that was as to those who managed the Crown estates. He thought the House would appreciate the significance of his statement, when he informed them that the agricultural interest of the Crown property was considerably over £100,000 a-year, and at that moment there were but three farms in hand.

Lord ELCHO said, he would not have interfered in the discussion; but the accusation of murder against Mr. Gore obliged him to say one word in his defence.

Mr. JAMES HOWARD: I rise to Order. Mr. Speaker —— [*Cries of* "Order, order!"]

Mr. SPEAKER ruled that the noble Lord was in possession of the House.

Lord ELCHO, resuming, said, he certainly gathered that such a charge was made. Now, whoever had had the pleasure of knowing Mr. Gore knew that there was not a more able servant, or one more just. The fact stated by the Prime Minister showed that the Crown Estates were managed well by the officers of that Department. With regard to Mr. Gore's management, the figures were these. The estate contained 3,097 acres; £119,000 were paid for it, and £21,000 were expended by the Crown in improving it. In 1878 there was a reduction of 11 per cent; 1879, 17 per cent; 1880, of 22 per cent; and in 1881, 22 per cent reduction had been promised. Further, it must be borne in mind that these estates were administered, not for the benefit of the Department, but for that of the nation, and that the Agents were bound to do their duty under an Act of Parliament. The statute in question, the Land Revenue Act, provided that no land should be let except upon valuation, and that valuation must be made by a competent surveyor, who was bound to swear that the land was let at a reasonable rent. Upon these terms this land was let, like all the rest of the Crown Lands. He protested against a charge being made in this manner against a Crown Agent, in an unexpected way sprung upon the House without Notice on the Paper.

Mr. O'DONNELL said, he fully admitted the general inconvenience of such impromptu debates; but would remind the House that in the state of Public Business now-a-days a Motion for Adjournment was sometimes the only means which the House possessed of controlling the actions of officials. He could not say he was very much struck with the eulogium which the noble Lord the Member for Haddingtonshire (Lord Elcho) had pronounced upon the Agent, because whenever a public officer was spoken of in that House in any terms except those of the most extreme praise, then every Member who had the honour and advantage of his acquaintanceship felt bound to testify that those who had that honour and advantage must admit that that particular public servant was as near a paragon as anyone could be. He was sure, from what he knew of the hon. Member opposite (Mr. J. Howard), that he had not introduced the subject except under the spur of necessity.

Mr. JAMES HOWARD, in withdrawing the Motion, begged the House to understand that he did not for a moment endorse the dying statement of the deceased tenant of the Crown; and, therefore, the noble Lord (Lord Elcho) had put words in his mouth which he had not uttered or entertained. He had simply stated a fact elicited at the Coroner's inquest. He did not know the gentleman in question (Mr. Gore); but he would embrace the opportunity of saying that it would be better for the nation if our public offices were not filled with aristocrats or their connections, who had to depend on more practical men to do the work for which they were paid.

Lord ELCHO rose to explain, and was met with loud cries of "Order!"

Mr. SPEAKER: If the noble Lord desires to make any explanation, no doubt the House will give him indulgence.

Lord ELCHO explained that he understood the hon. Gentleman to accuse one of those who had to do with the administration of the Department, for which Mr. Gore was responsible, of murder. [Mr. James Howard: No, no!] That was what he understood him to say.

Motion, by leave, *withdrawn.*

## ARMY—MILITARY COMMANDS.

Mr. HENEAGE asked the Secretary of State for War, Whether it is true that it is the intention of the Government to reduce the period that the command of a regiment may be held from five to four years, or after four years' service as a major to only two years; whether he is aware that the late lamentable disasters in the Transvaal are alleged to have been chiefly attributable to the manner in which young and inexperienced Staff Officers took the command of the troops out of the hands of the responsible regimental officers, and hurried the men on at critical moments; and, whether it is proposed to apply the new rule as to regimental commands to officers on their first and second appointment on the Staff of the Horse Guards and the Army generally?

Mr. CHILDERS: Sir, I do not see the connection between the second part of my hon. Friend's Question and the first and third. A great many reasons, some not improbable, and some palpably absurd, have been given for our recent reverses in South Africa; but the only instance in which blame has been attributed in certain quarters to the interference of a Staff officer was in the instance of a colonel of about 27 years' service. I do not think that I could with advantage explain in detail what is proposed and will appear in the Warrant as to the length of a lieutenant-colonel's service; but, speaking generally, it will be from four to six years, and that of a major will be seven years, as now.

## STATE OF IRELAND — THE LAND LEAGUE—THE CHAPLAIN OF NAAS GAOL.

Lord RANDOLPH CHURCHILL asked Mr. Attorney General for Ireland, Whether it is a fact that the Roman Catholic chaplain of Naas jail is president or officer or member of the local Land League?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Yes, Sir.

Lord RANDOLPH CHURCHILL: May I ask the right hon. and learned Gentleman if he is aware that the Roman Catholic chaplain of Naas gaol is in receipt of a salary of £200?

The ATTORNEY GENERAL for IRELAND (Mr. Law): I am aware that, being chaplain, he receives a salary; but the amount I do not know.

## THE MAGISTRACY (ENGLAND)—CONTAGIOUS DISEASES ACTS.

Mr. HOPWOOD asked the Secretary of State for the Home Department, Whether it is the fact that one or two more surgeons employed in the compulsory examination of prostitutes under the Contagious Diseases Acts have been made justices of the peace, in order that they may carry out the Acts in a twofold capacity, administering and executing the Law; whether he will state by what Minister such gentlemen were recommended to Her Majesty for appointment; whether he approves of such a confusion of duties; and, whether the individuals in question should not be called upon to make their choice in respect of those Acts to act either as magistrates or as surgeons only?

Sir WILLIAM HARCOURT: I have been previously asked a similar Question by my hon. and learned Friend. If he has any grounds for thinking that the persons he refers to have been improperly appointed, or that they have misconducted themselves, and if he will state such grounds, I will cause the subject to be inquired into. I have no knowledge whatever that the appointments in question have been complained of.

Mr. HOPWOOD reminded the right hon. and learned Gentleman that he had written to him naming three individuals at Devonport, Windsor, and Southampton acting as magistrates, and he asked whether they ought to perform these double functions; and, if so, whether that state of things was compatible with the Public Service?

Sir WILLIAM HARCOURT said, he would make inquiry. He understood from his hon. and learned Friend that these persons ought not to fulfil the duties he spoke of; but that must depend upon the nature of the duties, as to which he could not give an opinion until he had inquired.

Mr. HOPWOOD: Double duty.

Mr. CARBUTT asked the right hon. and learned Gentleman, in reference to his answer to the Question of the hon. and learned Gentleman the Member for Stockport, whether they were to understand that due inquiry would be made into that matter; and, if it were found that the gentlemen referred to were acting in the double capacity, he would express an opinion that that should not continue, inasmuch as there was an appeal under the Acts for an unfortunate woman from the examining surgeon to a justice of the peace, and here they would be the same person?

Sir WILLIAM HARCOURT renewed his assurance that inquiry would be instituted. In any event some communications must pass before coming to any decision.

## NAVY—THE TROOPSHIP "NEMESIS."

Viscount NEWPORT asked the Secretary to the Admiralty, Whether the troopship "Nemesis," which conveyed a portion of the 7th Hussars to the Cape, was inspected and reported favourably upon by an official acting under the orders of the Admiralty before she was chartered by the Government for the conveyance of troops?

Mr. TREVELYAN: Sir, the information which the noble Viscount asks I gave to the House of Commons in answer to a Question of the 9th of May, and I felt bound then to give it, accompanied by an explanation of some length, because it concerned the reputation of the Transport Department, a Department which has never deserved better of the country than during the operations connected with the recent disturbances in South Africa. I have got a short Report here which I have had prepared for the noble Viscount, and which I will give him privately; but it contains nothing which I have not stated publicly in the House, except that the *Nemesis* has made her return voyage in such a satisfactory time that there is reason to believe that her behaviour on the way out was mainly due to the bad weather which she encountered. If the noble Viscount wishes, I will read the Report now; but the House is already in possession of the information which it contains.

Viscount NEWPORT said, that in consequence of this answer he would, on a future day, ask whether it had come to the knowledge of the Admiralty that the troopship *Nemesis* broke down between this country and the Cape on several occasions, that her boilers were in an unsafe condition, that she ran short of provisions, and that the privations of those on board were so great that the troops had ultimately to be transferred to the *Calabria* to finish the voyage?

### POST OFFICE—POSTAL ORDERS.

MR. FRASER-MACKINTOSH asked the Postmaster General, Whether his attention has been called to the fact that none of the Scottish Banks have seen their way to comply with the conditions required, in order to enable them to cash postal orders for their customers; and, whether, as there are no banks available through which crossed postal orders can be cashed, local post offices have been authorized to cash all such orders, whether crossed or not; and, if not, how payment of postal orders crossed generally, or to a particular bank, can be obtained in Scotland?

MR. FAWCETT, in reply, said, that on the 29th of April last, certain arrangements were announced with the view of obviating, as far as possible, the inconvenience with reference to the cashing of postal orders. He was glad to say that these arrangements had been so much approved of by the bankers generally, that a great number immediately adopted them. The others were adopting them every day, and he believed that, with a single exception, they had been adopted by the Scottish banks; and, therefore, he hoped the inconvenience to which the hon. Member referred no longer existed.

### POST OFFICE—TELEGRAPHS IN RURAL DISTRICTS.

MR. ROUND asked the Postmaster General, If he will consider whether it is possible to allow telegraph extensions to be made in rural districts under guarantee on easier terms than those which at present prevail, and which require not only the payment of working expenses and interest on outlay, but also the repayment during the period of the guarantee of the capital sum expended?

MR. FAWCETT, in reply, said, that telegraphs were always extended when it was reported that the extension was likely to pay. In other cases, where a report was made to the contrary, the extension was allowed under a guarantee. He had considered whether anything could be done to reduce the amount of the guarantee, and he had already submitted to the Treasury some proposals which, if adopted, would reduce the guarantee.

In answer to a Question by Mr. HEALY,

MR. FAWCETT said, that the guarantee was given by any respectable inhabitants of the district.

### CYPRUS—CATTLE PLAGUE.

MR. ARTHUR ARNOLD asked the Vice President of the Council, Whether it is true that an importation of cattle from Cyprus by a Member of this House has been prohibited by the Privy Council; and, if so, for what reason?

MR. MUNDELLA: Sir, it is true that an application to land some goats, not cattle, from Cyprus has been refused by the Privy Council. There has been a very bad outbreak of cattle plague at Cyprus, which has destroyed large numbers of animals in the island, and which was suppressed with great difficulty. Moreover, by the General Order of Council of December 15, 1879, the landing of animals from the dominions of the Sultan was strictly prohibited, as a precaution against rinderpest; and as Cyprus is included in the dominions of the Sultan, we could not admit the animals in question to quarantine. On the grounds, therefore, of illegality and of risk, we felt bound to refuse any relaxation of the Order.

### ARMY—AIDES-DE-CAMP TO THE QUEEN.

CAPTAIN PRICE asked the Secretary of State for War, Whether it is the case that in the regular Army, and also in the Navy, officers hold the appointment of A.D.C. to the Queen for limited periods, but that in the Militia and Yeomanry these appointments are held for life; and, if so, whether he would consider the advisability of limiting the appointments in these services to a period of five years?

MR. CHILDERS: Sir, in reply to the hon. and gallant Gentleman, I have to inform him that aides-de-camp to the Queen in the Army and Navy do not hold their appointments for fixed periods of five years, but until promotion to generals' or flag rank, and that these appointments are salaried. In the Auxiliary Forces there is no rank above that of colonel, and, consequently, the appointments continue for life, and they are purely honorary. I will consider the suggestion which he has made; but in no case could it, if adopted, apply to present aides-de-camp.

### ARMY—MILITIA BANDS.

Captain PRICE asked the Secretary of State for War, Whether he will consider the propriety of making an allowance to Militia Regiments for their bands, as in the Line Regiments?

Mr. CHILDERS: Sir, there is no intention to alter the present system as to Militia bands. The bandsmen are paid as Militiamen. I may add that fife and drum bands are maintained throughout the year as part of the permanent Staff.

### SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).

Baron HENRY DE WORMS asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government, before concluding peace with the Boers, took any, and, if so, what, steps to ascertain from the Local Government in the Transvaal what the conduct of the Boers was in the outlying districts, and the true facts of the case; whether Sir Owen Lanyon was consulted as to the advisability of making peace, and generally as to the proposed terms, either before or during the progress of the negotiations; whether Sir Owen Lanyon has already been relieved of his functions; whether any Despatches have passed between Sir Owen Lanyon and Her Majesty's Government; and, whether Her Majesty's Government will, prior to the Debate on the affairs in the Transvaal, place them in their entirety upon the Table of the House?

Mr. GRANT DUFF: Sir, when the hon. Member put down the first part of his Question, I think it had escaped his recollection that from nearly the commencement of the outbreak until the conclusion of peace communications between Her Majesty's Government and the Local Government of the Transvaal were interrupted by armed force. He must also have forgotten that the Local Government of the Transvaal was during the war shut up in Pretoria, and quite unable to obtain authentic information about the "conduct of the Boers in outlying districts, or the true facts of the case." As to the second part, I have to say that Sir Owen Lanyon was not, and in the nature of things could not have been, consulted. As to the third part, I mentioned some time ago that Sir Owen Lanyon had received leave of absence. He is now on his way to Europe, but was, when we last heard of him, in Newcastle, ready to reply to any questions the Commissioners might wish to put. As to the fourth and fifth parts, I have to say that we have given most of Sir Owen Lanyon's despatches, and will consider if there are any others which we can give before the debate comes on.

### CRIMINAL LAW—INEQUALITY OF SENTENCES.

Mr. MACFARLANE asked the Secretary of State for the Home Department, If his attention has been called to three sentences reported in the "Times" of the 27th instant, the first being the case of a man named Hunt, who was convicted of manslaughter for having, while intoxicated, killed his wife, and, having been told by the Chief Justice "that human life was a precious thing," was sentenced to six weeks' hard labour; the second being the case of a man named Lewis, who, being sober, killed a young woman with whom he lived, and was sentenced by the same judge to five years' penal servitude; the third being the case of a man named Banks, who, for stealing some indiarubber cuttings, was sentenced by the Common Serjeant to twelve months' hard labour; and, if he will take into his consideration the inequality of these sentences?

Sir WILLIAM HARCOURT: Sir, the Question of the hon. Member seems to be founded on the idea that I am responsible for sentences. That responsibility is placed very wisely in the Judicial, and not in the Executive Department. The power of the Executive Department to interfere with sentences is very limited indeed. If a case is brought before the Secretary of State, and there is any good ground for reducing a sentence, that, after consultation with the Judge, is occasionally done. But the hon. Member suggests that I should review three sentences and bring them to a comparative equality. That I cannot do. In some cases the sentences may be too light; but I have no power to aggravate a sentence. I ought to mention that I had an opportunity of conversing with the Lord Chief Justice on this subject yesterday; and he stated to me that the reason why, in one of these cases, the sentence might appear too light was that, in his opinion, the thing was as nearly as possible an accident, and he almost doubted whether there should be a conviction. The jury recommended the prisoner to mercy, and he thought it right to pass a light sentence.

MR. MACFARLANE gave Notice that on going into Committee of Supply he would move the following Resolution :—

> "That the administration of the law in cases of outrage upon the person has long been a reproach to our Criminal Courts. That outrages and assaults of the most brutal character, especially upon married women, even when they cause a cruel death, are commonly punished less severely than small offences against property. That the admission of the crime of drunkenness as an extenuation of other crimes is immoral, and acts as an incentive to persons about to commit outrages to wilfully deprive themselves of the guidance of reason."

## PEACE PRESERVATION (IRELAND) ACT, 1881—ARMS LICENCES.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, Whether petty session clerks in Ireland are entitled to charge a fee of 1*s.* 6*d.* for each form required for liberty to have arms under the Peace Preservation (Ireland) Act?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, arms licences are to be granted by the licensing officers whom the Lord Lieutenant has appointed for the purpose, and petty sessions clerks have nothing to do with the granting of them.

## THE ROYAL AGRICULTURAL COMMISSION—REPORT AND EVIDENCE.

MR. CHAPLIN asked the Secretary of State for the Home Department, When the Index and Appendix to the evidence of the Royal Agricultural Commission, as well as the Assistant Commissioner's Reports, which were sent to the Home Office on the 27th April last, will be laid upon the Table of the House.

SIR WILLIAM HARCOURT: Sir, the Papers were laid upon the Table on the 3rd of May, and the Queen's Printers report that they ought to be ready for distribution in about a week's time.

## STATE OF IRELAND—THE LAND LEAGUE.

MR. CHAPLIN asked the First Lord of the Treasury, Whether it is true, as stated in the leading journal of Tuesday, that the Irish Executive have represented to the Cabinet the necessity of adopting measures for the suppression of the Land League?

MR. ONSLOW said, that before the Question was answered, he wished to ask the right hon. Gentleman, whether, considering the serious state of affairs at the present time in Ireland, Her Majesty's Government intend to retain in the service of the Crown, at salaries paid for out of the taxes of the country, officials holding office under the Land League?

MR. T. P. O'CONNOR asked, whether Her Majesty's Government were considering measures for the suppression of that other Land League known as the House of Lords?

SIR STAFFORD NORTHCOTE inquired, whether there was any truth in the report that at a Sheriff's sale at Scariff, in the county of Clare, four policemen were shot dead with revolvers, and two others seriously wounded?

MR. GLADSTONE: Sir, with regard to the Question of the hon. Member for Mid Lincolnshire (Mr. Chaplin), and without any intention of pronouncing any censure upon him, he will allow me to remind him that the responsibility of the Executive Government is undivided, and when he asks me whether the Executive Government of Ireland recommended something to be done to which the Executive Government in England objected, he is simply asking a Question as to the state of opinion within the Government, and, as a general rule, such a Question ought not to be answered. At the same time, the Question having been put, at which I must say I am not surprised, I feel that it would be inconvenient to decline to answer it, and I would therefore say that there is no foundation for the statement to which the hon. Gentleman refers. With respect to the Question of the hon. Member for Guildford (Mr. Onslow), the matter is one which only came under my notice a few moments before he put it. It involves a point which requires serious consideration, and as to which I could not promise any information to the hon. Member in the absence of my right hon. Friend the Chief Secretary for Ireland. In reference to the Question with respect to statements in the newspapers this morning, I was led by those statements to send a telegram to the Irish Office in Dublin for information, and I will read to the House the precise terms of a telegram I received in reply, which will tend, I think, to relieve a good deal of public anxiety, which, undoubtedly, the Government for the moment shared with them. The telegram is as follows:—

> "The County Inspector at Ennis telegraphs this morning as follows:—'Attended yesterday to protect procses-servers serving writs on Colonel O'Callaghan's tenants. Police fired on by people; shots exchanged; no one shot on either side.'"

[*Laughter.*] He did not know whether that laugh showed satisfaction or not.

Mr. T. P. O'CONNOR: We laughed in common with the Benches opposite.

Mr. GLADSTONE (continuing to read the telegram)—

> "'Effected service in spite of opposition. County Inspector and a party of 20 men fired at from a plantation at Fortaunbeg at 9.30 p.m., when returning to Ennis. One horse shot under police car; no policeman hit. The County Inspector of Donegal telegraphs that on Tuesday last he proceeded in gunboat to Arranmore Island with police force, landed, and served certain summonses. They met with no opposition whatever. Report in this morning's papers is, therefore, untrue.'"

That is all the information we have received. With respect to a Question of the hon. Member for Galway Town (Mr. T. P. O'Connor), making inquiry of me as to certain evictions on Lord Kenmare's estate at Kenmare, I have to say that I have made inquiry on the subject of the Lord Chamberlain, and my noble Friend, feeling it was not right that attention should be called in this House to any proceedings of his which might be connected with the present difficulties in Ireland without his making known the facts of the case, I have, therefore, received the following information from the noble Lord:—Out of more than 1,000 tenants on his estate at Kenmare there have been five recent evictions. Of the tenants evicted, two defended the actions of ejectment brought against them, and Lord Kenmare obtained verdicts against them from Dublin juries in the month of February last. One of the remaining cases was that of a woman and her children, who appealed to Lord Kenmare to get rid of the stepfather, who married the woman, on account—I will not go into the particulars—of his personal misconduct rendering him untrustworthy. Another was the case of a woman who held a house in the town at a nominal rent of £5, and who was five years in arrears, and would pay nothing. I gather from the evidence that she was afraid to pay; but she did not pay anything, and Lord Kenmare paid the expenses of her passage to America. The fifth case was that of a tenant who was a-year and a half in arrear of rent, and who was re-admitted as caretaker. But the essential feature with regard to the whole five cases is this—that in the full conviction and knowledge of my noble Friend, in every one of them the tenant was able, and thoroughly able, to pay. The cases illustrate the enormous mischief done, and the enormous responsibility incurred, by those who advise the tenants in Ireland who are able to pay their rents not to pay them.

Lord EUSTACE CECIL inquired of the Secretary of State for War, whether he was in a position to contradict the statements made in some of the papers as to the Cavalry charge said to have taken place in Clonmel?

Mr. CHILDERS: Sir, all I can say with reference to the case referred to by my noble Friend, and as to other cases, is that the statements which have appeared are very much exaggerated indeed. If my noble Friend will be good enough to repeat his Question after the Recess, I shall be in a position to afford the House full information as to all the circumstances.

Mr. PARNELL gave Notice that after the Recess he would ask the Secretary of State for War, whether the statement as to the late Cavalry charge at Clonmel, which appeared in the "Freeman's Journal" of yesterday, was true—to the effect that the Cavalry charged a crowd consisting of about two dozen men and women and children who were standing on the footpath listening to the advice of the Rev. Mr. Byrne, and slashed their swords about in a fearful manner?

Mr. CHILDERS said, he would answer the Question on Friday week.

Mr. O'DONNELL asked the Prime Minister, whether he had examined into the accuracy of the statement with respect to the Kenmare estate with which he had just favoured the House?

Mr. GLADSTONE, in reply, said, that he had made no examination of the accuracy of the statement, and should make none. He had absolute and implicit confidence in Lord Kenmare's honour, and had received his statement with the same.

MR. HEALY inquired, whether it was not the fact that Lord Kenmare obtained his writs out of the Superior Courts in Dublin for the purpose of keeping up costs on the tenants?

MR. GLADSTONE: What I said was that Lord Kenmare had obtained verdicts from Dublin juries in actions brought in the Courts of that City.

### PARLIAMENT—PUBLIC BUSINESS—THE TRANSVAAL.

MR. GORST asked the Prime Minister, Whether he would to-morrow make some statement in reference to the Transvaal, having formally stated that as soon as the guns taken at Potchefstroom were restored facilities would be given for the bringing on of the debate in reference to the Transvaal?

MR. GLADSTONE: Sir, I never made any statement of the kind. What I said was that until the communications as to what had taken place were concluded no useful discussion could take place. Perhaps, however, it may be desirable that I should say a word as to the course of Public Business. We have got, as the House is aware, into a situation of competition between two great questions—the Irish Land Bill, which is before us especially on this occasion, and Supply, which has fallen into a backward state, and as to which justifiable anxiety prevails. I was extremely anxious that the debate on the second reading of the Land Bill should take place immediately after the Easter Recess. I do not know that we gained a great deal by commencing it on that day. I am given to understand that it would be a considerable convenience to Irish Members that Supply should be taken at the two Sittings next week, instead of the Land Bill; and, considering that we can hardly expect to dispose of the Committee on the Land Bill before the House would insist on our taking Supply, I think we should act wisely if we took Supply on Thursday and Friday next week, and then gave our constant attention to the Land Bill. Unless I have reason to suppose that I am mistaken in thinking that it meets with general acceptance, we shall consider that that is the arrangement. To-morrow, at 2 clock, we shall be able to see positively whether that is agreeable to the wish of the House generally.

### CONTAGIOUS DISEASES (ANIMALS) ACTS—DISEASED CATTLE FROM THE UNITED STATES.

VISCOUNT FOLKESTONE asked the Vice President of the Council, Whether it is true that a cargo of nearly three hundred oxen from Boston have been landed at Glasgow affected with foot-and-mouth disease; and, whether effectual steps have been taken to prevent the spread of the disease so imported?

MR. MUNDELLA, in reply, said, he regretted to inform the noble Viscount that yesterday he had received information that a cargo of cattle corresponding very much to the description given in the noble Viscount's Question had been landed in Glasgow in a very diseased state, and that the Department had issued instructions for the isolation and slaughter of the cattle, and for the disinfection of all the person who had had any access to them. It was hoped that by those measures they would succeed in preventing the spread of any infection.

### LAW AND JUSTICE (SCOTLAND)—THE LAW OF ENTAIL.

MR. DONALD CURRIE: I beg to ask the Lord Advocate a Question of which I have given him private Notice—namely, Whether, at an early day, we may hope that the Government will introduce a Bill dealing with the Laws of Entail and Settlement in Scotland?

THE LORD ADVOCATE (Mr. J. M'LAREN): Sir, I can inform my hon. Friend that the question has not been overlooked by the Government. Within the last few days, I have been informed that there is a general wish on both sides of the House, amongst the Representatives of the Scotch constituencies, that some attempt should be made to deal with certain parts of this question, and in the hope that it may meet with favourable consideration I propose to bring in a Bill for that purpose.

### PROTECTION OF PERSON AND PROPERTY ACT, 1881—THE ARREST OF MR. DILLON AND OTHERS.

MR. T. P. O'CONNOR asked the Prime Minister, Whether the Government will be able to keep their promise, that there shall be an Evening Sitting to-morrow for resuming the discussion on the hon. Member for Longford's (Mr. Justin M'Carthy's) Motion as to the conduct of the Irish Executive in this matter; and, whether they will also have the advantage of the presence of the Chief Secretary for Ireland during the debate?

Mr. PARNELL asked, whether any arrangements had been made by the Government to take the adjourned debate at 2 o'clock?

Mr. GLADSTONE, in reply, said, it had been agreed upon that the discussion in question should be taken at the Evening Sitting at 9 o'clock. The case for the Government with regard to the Motion had already been stated, His right hon. Friend the Chief Secretary would not be able to be in his place to-morrow; but he had already spoken in the debate.

The O'DONOGHUE asked, whether Supply would stand first for the Evening Sitting?

Mr. GLADSTONE said, Supply must stand first, according to the Rules.

## STATE OF IRELAND—PROCLAMATION OF THE COUNTY LIMERICK.

Mr. O'SULLIVAN asked Mr. Attorney General for Ireland, Whether it is true that a proclamation has been issued this day, declaring a part of this county under martial law so far as to prevent the people from assembling in the district; and, if so, whether he will state why martial law has been proclaimed without the authority of the House?

The ATTORNEY GENERAL for IRELAND (Mr. Law), in reply, said, he had received no information on the subject.

## PARLIAMENT — PUBLIC BUSINESS — ARMY RE-ORGANIZATION SCHEME.

Colonel STANLEY asked the Secretary of State for War, On what day, or about what day, he proposes to take the discussion on this scheme?

Mr. CHILDERS, in reply, said, he had stated the other night that taking Vote 10 on that occasion would not interfere with the promise he had given to fix the earliest day possible after the details of the plan of re-organization, which would be contained in the second Memorandum, had been laid on the Table of the House. That second Memorandum was now nearly completed, as also was the draft Warrant; but they had to receive the approval of the Treasury. He hoped in the last week of the month to be able to get a day for the discussion of the whole matter, after he had laid the Papers on the Table.

An hon. Member asked the right hon. Gentleman, whether it is the intention of the Government to make the new scheme come into force on the 1st of July?

Mr. CHILDERS, in reply, said, that it was, and that he had said so several times.

## POLICE LAWS (IRELAND)—THE DUBLIN DISTRICT.

Mr. GILL asked Mr. Attorney General for Ireland, If his attention has been called to the following extract from the Recollections of Mr. F. Thorp Porter, who had twenty years' experience as a Dublin police magistrate:—

> "I may mention here that the Police Laws of the Irish Metropolitan district are, to the highest degree, complex, voluminous, involved, and puzzling. In the English Metropolitan district two statutes regulate, one the Police Force and the other the Police Courts. In Dublin we have a statute passed in 1808, another in 1824, a third in 1836, a fourth in 1837, a fifth in 1838, a sixth in 1839, a seventh in 1842, and an Act in relation to Public Carriages, which may be also termed a Police statute, in 1848. They contain three hundred and sixty-six sections, and may be designated as disgraceful to the several Executive Governments which have left them unconsolidated and uncodified;"

and, if he will endeavour to bring in a Bill at the earliest possible opportunity, to consolidate and simplify those statutes?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, I have not had an opportunity of reading Mr. Porter's book, which, however, I am told is interesting and amusing. I am not aware that any difficulty is experienced in administering the police laws in the Dublin Metropolis, and, therefore, do not at present propose to lay before Parliament any Bill on the subject.

## ELECTIONS (IRELAND) 1880—POLICE EXPENSES AT LONDONDERRY.

Mr. LEWIS asked Mr. Attorney General for Ireland, Whether the charge for expenses of extra police drafted into the county of Londonderry for the county election of 1880 has not been demanded of the Corporation of the City of Derry; whether such an assessment of the expense connected with the county on the city (which is a distinct constituency of itself) is in accordance with the law; and, whether the charge of any portion of such expenses on the respective constituencies is directly authorised by law or rests merely on usage?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, the expenses of extra police drafted into the county of Londonderry for the county election of 1880 have been duly charged on the county, and have not been demanded from the corporation of the city. The charge is made without any reference to constituencies, and is in accordance with law.

## *ORDERS OF THE DAY.*

LAND LAW (IRELAND) BILL.—[BILL 135.]

(*Mr. Gladstone, Mr. Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

COMMITTEE. [FIFTH NIGHT.]

[*Progress 31st May.*]

Bill *considered* in Committee.

(In the Committee.)

### PART I.

### ORDINARY CONDITIONS OF TENANCIES.

Clause 1 (Sale of tenancies).

Amendment proposed,

In page 1, line 8, after the word "sell," to insert the words "such interest as under any contract, express or implied, between himself and his landlord, or by any legal custom or usage he may then have in unexhausted improvements or in the unexpired term of."—(*Sir Richard Cross.*)

Question again proposed, "That those words be there inserted."

SIR HARDINGE GIFFARD thought that, from some of the phrases used by the right hon. Gentleman the Prime Minister, this Amendment was absolutely necessary. The Bill, as it stood, provided that the tenant for the time being of every tenancy to which the Act applied must sell his tenancy for the best price that could be got for the same; and within that provision they were bound to include the Interpretation Clause, from which it appeared that "tenancy" meant the interest on the holding of a tenant and his successors in title during the continuance of a tenancy; and a "tenant" meant a person occupying land under a contract of tenancy, and included the successors in title to a tenant. If they were to ask for the limit of the interest which the tenant was to possess within the contract, express or implied, which existed between the landlord and the tenant, Her Majesty's Ministers had been much misunderstood if they had been credited with the desire to let the interest of the tenant be only that which was contemplated by the contract between him and his landlord. If the only interest the tenant was to have was that which the law gave him—namely, the right of assigning the unexpired term of the tenancy, there could be no difficulty in adopting his right hon. Friend's (Sir R. Assheton Cross's) Amendment. But if, on the other hand, there was something more to be placed in the power of the tenant—something upon the mere fact of occupancy—one searched through the Bill in vain in order to ascertain the nature and extent of the new thing which the tenant was to sell. The Prime Minister, in discussing the Bill, used two remarkable phrases. He said the tenant's interest was an interest made up of what the law gave him; and he also used that extraordinary phrase, "or should give him." [Mr. GLADSTONE: "Gives," or "shall give."] He accepted what the right hon. Gentleman said; but if what was meant was what the law gave the tenant by that Bill, what was the interest of the tenant? Was it to be measured by time or value? Were there any circumstances that went to show that the interest had been created by the tenant? In his concluding words, the right hon. Gentleman said that it was a right which meant nothing more than the occupancy of the tenant, together with such incidents as the Legislature might be pleased to attach to it. They were enacting now that the tenant might sell that thing whatever it was; and, apart from the phrase to which he had referred, he looked in vain through the Bill to find anything limiting the power to sell beyond phrases which meant nothing. It was said that the interest was to be also created by the contract. Be it so; but here must be something beyond the contract. He thought he had some right to appeal to his hon. and learned Friend the Solicitor General for Ireland (Mr. W. M. Johnson), because he had observed in his speech that when it was sought to draw him into a definition of what the interest was which the tenant possessed, he said that he declined to be inveigled into a verbal discussion as to what the thing was. Now, he (Sir Hardinge Giffard) did not think that that was altogether a satisfactory reply, because the matter was not a mere question of words, but what was the principle underlying what the Government thought proper to introduce into the Bill. What was it that was to be sold? As lawyers they knew what the interest was. They knew it was the unexpired term of the tenant's lease whatever it might be; but in this case there was no limit to the thing that was to be sold. If Her Majesty's Government meant to limit the tenant's interest to that which the law gave him by the Bill, no alteration in the law would be necessary. Then, what was it, and in what part of the Bill was he to find the definition? It must be remembered that this was an ambiguity which had been left in the Bill—he did not say intentionally, but of which hon. Members opposite had availed themselves abundantly. In the course of these discussions, a touching picture had been drawn of cases in which the tenant had, by his own exertions, turned useless bogs into arable land, and had applied his capital to arrangements which had given to the land its present value. That was a very striking case; but this power to sell was universal and indiscriminate, and there was no part of the Bill which described the cases in which either of these indications existed. It was given universally, whatever the contract, or however much it might actually negative the existence of any such right of disposition. The Bill, and the particular clause they were passing, gave that right universally, whatever the tenant's right might be, although the tenant might not have added one farthing to the value of that which he held. He was not at present arguing whether it was right or wrong that the tenant should have that interest. He assumed for the present that it was proper that he should have such an interest, and that he should, by statute, be permitted to deal with it in that way; but he thought it should be plainly set forth what it was, and what were its limits. He did not know what the Land Commission might say should be given to the tenant, or what the law said ought to attach to the tenant. He was not arguing whether it was right or wrong to give him this interest; but it ought to be shown within the four corners of the Bill what the circumstances were that were adverted to. At present, upon the face of the Bill that was altogether uncertain; and, therefore, some Amendment of this kind was necessary. This ambiguity affected the whole Bill. It was shown in the 1st clause, and the moment they came to Clause 7 they would be in exactly the same difficulty, because there they were to have regard to the interest of the tenant. What did that mean? Was it that he was to be a tenant from year to year, or that he was made a tenant for seven or 15 years? Where in the four corners of the Bill was there any definition to show the Committee that if they passed the 1st clause in the form in which it stood it would not be said—"You have now admitted whatever the tenancy may be, whatever the circumstances of it may be, you have enacted by that 1st clause that any tenant, under any tenancy, may be able to sell that thing, and yet you have not defined what that thing is in the Bill?" On a former occasion, in reference to the Bill introduced by the late Mr. Butt, it was pointed out that what was disrespectfully described as "legal jargon" ran throughout the measure, about the profits of the soil making up that which was the fee simple of the land; and if by any circuitous language they gave to the tenant the right of perpetual succession, what they did would have the effect of making the landlord a mere rent-charger. He contended that they were doing precisely the same thing now. They were concealing, in a multitude of words, no one of which was capable of being expounded, not what the legal interest was, but some interest or another, which somebody hereafter was to acquire, and they were declaring that that was the interest which the tenant might dispose of and sell. He thought they had a right to know, before they went any further, whether it was intended by the Government to accept his right hon. Friend's Amendment, or some other Amendment, which should define and make clear that which was intended.

MR. MORGAN LLOYD said, that what rights were given to the tenants of Ireland under the Bill was a matter which would have to be discussed upon the subsequent clauses of the Bill. The only question now was whether or not the tenant was to be allowed to sell or part with whatever interest he might have. The clause gave no interest whatever to the tenant which he had not got already. It simply gave him the right to sell his interest in his tenancy. If he was a tenant at will he would have no interest to sell, because the landlord might determine his will at any moment; but if he was a tenant from year to year, he would have his unexpired term to sell increased in value by the right to compensation for disturbance, to which he was entitled under the Land Act of 1870. If he was a leaseholder, he would have still more to sell. Even as the law now stood, if a tenant from year to year, he would have a right to sell his title to the improvements he had effected. All that was proposed by this clause was that he should have a right to sell whatever interest he had. It was said that that meant something besides a legal interest. Now, he (Mr. Morgan Lloyd) contended that it meant nothing more than a legal interest—whatever interest the tenant had must be a legal interest. By the words of the clause the tenant's interest was a legal interest; and, therefore, what was proposed to be done now was simply to give the tenant a right to part with whatever he now had, or what might be given to him by the Bill. The discussion as to what interest the tenant had or might have was premature, and would come before the Committee much more conveniently on the subsequent clauses of the Bill.

MR. RITCHIE said, they all agreed with what the hon. and learned Gentleman (Mr. Morgan Lloyd) had just said, that the tenant should have a right to sell his interest. But what the Amendment of his right hon. Friend (Sir R. Assheton Cross) intended to do was to define exactly what the interest of the tenant was, so that there should not be any trouble in interpreting what the House intended to give. In one part of the speech of the right hon. Gentleman (Mr. Gladstone), in criticizing the words of the Amendment, he quite agreed. It seemed to him that the words as they stood would deprive the tenant of the opportunity of selling his own improvements, unless there was some contract between him and his landlord. He (Mr. Ritchie) was satisfied that that could not be the intention of his right hon. Friend (Sir R. Assheton Cross), because they were all agreed—even those who were most bitterly opposed to the Bill as it stood—that the tenant ought to be able, at least, to sell his own improvements; and he would suggest to his right hon. Friend that it would be as well to leave out the words from the word "under" to "improvements," in his Amendment. The right hon. Gentleman the Prime Minister seemed to find great difficulty in defining what it was the tenant was to have the right to sell. Over and over again the Government had been pressed to say what they meant by certain clauses of the Bill, and there had always been a delightful vagueness in their explanations. He did not know whether it was that the Government themselves did not understand what the result of many of the provisions of the Bill would be; but he (Mr. Ritchie) thought it was desirable that the question should be fought out now, rather than be fought out in a Court. It was essential that they should lay down for the guidance of the Court, in fixing a fair rent, what it was that the tenant's interest consisted of. He had no hesitation in saying that he had always been in favour of conferring upon the tenantry of Ireland a moderate amount of tenant right. He thought the evidence given before the Commissioners pointed clearly in that direction; but he by no means considered that the method provided in the Bill was the right and proper method. On the contrary, he was convinced that it would impose a considerable amount of hardship upon the landlords of Ireland, and that it was desirable and necessary to modify it. They must take care, in removing the injustice under which certain tenants of Ireland certainly suffered, that they did not inflict a much greater grievance upon the whole body of landlords. If they gave power to the tenant to sell the unrestricted tenant right, one of two things must occur. Either part of it must come out of the landlord's pocket in the shape of a reduction of rent, or they would be giving something to the present tenant at the expense of the future tenant, and would be thereby laying up for the future tenant a mass of injustice far greater than that which they proposed to remove. The only way to remedy this evil was to insert in the Bill some provision for securing to the incoming tenant the value of the money he paid; and if they did that, neither the landlord nor the incoming tenant would be aggrieved. The Amendment specified that the tenant would be entitled to sell the interest he had in unexhausted improvements, and the value of his unexpired term of the 15 years in which the rent could not be raised. His right hon. Friend the Prime Minister told them there was another interest beyond these, and that was the right of continued occupancy. He agreed with the right hon. Gentleman that the right of continued occupancy was something of value which they were conferring upon the tenant; but he disagreed with the right hon. Gentleman that that was something which the tenant ought to have the right to sell. He assumed that it was intended by the Bill to confer that right of uninterrupted occupancy not only on the present tenants, but on the tenants of Ireland present and future; but the result of allowing the present tenants to sell would be to take away from the future tenants the boon they were conferring by the Bill. It would be no boon at all if, while conferring it, on the one hand, upon the present tenant, they declared that it should be paid for by the future tenant. They did not propose that the present tenant should pay anything to the landlord for this right of continued occupancy; but they proposed that the man who succeeded him should pay for it, although the present tenant paid nothing. Now, it seemed to him that, while appearing to confer on the whole of the tenants of Ireland for the future the right of continued occupancy, they were taking away the value of the gift by saying to the incoming tenant—"You shall pay for it when you come into possession of the holding." The right hon. Gentleman, in support of his position, used one argument which told conclusively against the Bill. Speaking of the payment the incoming tenant was to make to the outgoing tenant, the right hon. Gentleman the Prime Minister said, with vigour and energy—"Why is it hard upon the incoming tenant that he should pay for a thing that which he is willing to pay for it?" A more conclusive argument against the principle of the Bill could not have been adduced. The necessity for the Bill was based upon the fact that the landlords were receiving, and the tenants paying, a higher rent than the one ought to receive and the other to pay; that there was such a land hunger, and such a desire to possess land and enter upon a farm, that the tenant was willing to pay any rent which might be demanded. Therefore the right hon. Gentleman was unwilling to allow freedom of contract to exist between the landlord and tenant. He would not allow the landlord to take the rent which the tenant was willing to pay; but the moment he came to deal with a contract between tenant and tenant, he threw all this argument over, and said—"The proper price for a tenant to pay and for a tenant to receive is what the outgoing tenant can get and the incoming tenant is willing to pay." Now, he (Mr. Ritchie) should like to know what difference there was in the two positions, so far as the tenant was concerned, whether the tenant paid a high rent to the landlord, or a low rent and a high premium to the outgoing tenant? The only difference was that the money, instead of going into the landlord's pocket in the shape of rent, went into that of the outgoing tenant in the shape of premium, and the incoming tenant paid rent to the owner as interest for the money he borrowed to pay the premium; and the position of the tenant was really worse, owing to the exorbitant interest he had to pay to the usurer. He held that if they were to allow free contract to exist the necessity for this Bill was done away with altogether. If the tenant was to be a free party to the contract, as between tenant and tenant, then there was no earthly reason why they should destroy the freedom of contract between him and his landlord. There was another argument used by the right hon. Gentleman in support of the position he took up, and that was the comparison which he made with reference to Ulster. They had heard, over and over again, comparisons made between the condition of Ulster and other parts of Ireland; but in Ulster tenant right had been bought and sold for generations. There was no question of conferring something new on the tenant, but something which had been bought and sold for a long series of years; therefore, there was no analogy between the two cases. It must be borne in mind, also, that the habits of the people were different from those in other parts of Ireland, and that there were manufacturing and other interests in Ulster which existed in no other part of Ireland. But even in Ulster tenant right was not unrestricted, as was proposed by this Bill. The proposal in the Bill was that the sale of tenant right between tenant and tenant should be unrestricted. ["No, no!"] Then, all he had to say was that that was a feature of the Bill he had failed to understand. He wished to point out that in Ulster the tenant right had been by no means unrestricted. If this Bill did what it professed to do, two things were necessary. Some definition must be laid down as to what it was the tenant had to sell, and in that definition the question of quiet possession should be entirely excluded, or else they were conferring an immense boon on the present tenantry, but no boon on the future tenantry of Ireland. He trusted, if the right hon. Gentleman would not accept the proposal which had been made by his right hon. Friend (Sir R. Assheton Cross), that he would indicate some means by which the tenant's interest might be defined, and that he would be prepared to support the proposal that it should not be free sale in the open market; but that there should be some kind of tribunal to settle the price between the outgoing tenant and the incoming tenant, so that the incoming tenant should not lose a great part of the benefit intended to be conferred on him by the Bill.

Mr. GLADSTONE: I never said a single word in favour of an absolutely unrestricted tenant right; but we shall come to that point by-and-bye, and then it will be seen whether the Government are in favour of unrestricted tenant right or not. The sole question now has reference to the propriety of attempting to define tenant right.

Colonel COLTHURST said, there could be no doubt whatever that the effect of the Act of 1870, as far as the South of Ireland was concerned, was to create a tenant right, or some sort of right of occupancy. He challenged contradiction on that point, and he contended that a great majority of the tenants in Cork and Kerry were now in possession of a right which some people valued at seven years' purchase, and some at 10 years. They were in possession of a certain right totally irrespective of improvements, and the question was whether Parliament was going to take away that right, or to allow the tenant to sell it. Judge Longfield, who was originally an opponent of tenant right, starting from the Act of 1870, and viewing the matter in the light of coming legislation after an experience of 10 years of the working of the Act of 1870, said that that Act did give to every tenant a certain qualified right of occupation and security to enjoy it at a fair rent. Judge Longfield went on to say that, having given that right, the right of free sale followed as a matter of course. The learned Judge argued, and, in his opinion, most conclusively, that of all the "three F's" the right of free sale was the one that injured the landlord least and conferred the greatest benefit upon the tenants generally. How was the right worked in Ulster? He would quote the evidence of Mr. Vernon, one of the largest land agents in Ireland. He was asked by Sir John Leslie—

> "Are not these large sums so much capital subtracted from what the tenant ought to have in order to manage the farm properly?"

The answer was—

> "Perhaps it is; but look at your own county of Monaghan. A man pays the fee simple of the land for the right of occupation, and still he will thrive."

Sir John Leslie asked no further questions. The late Major D'Alton was examined in reference to land belonging to Lord Headfort in one county where the tenant right was worth 18 years' purchase, and land in another county where there was no tenant right allowed, the tenants being of the same class in each county. He was asked which tenants were the most prosperous, and his reply was—

> "The tenants of the county of Cavan, who paid 18 years' purchase for tenant right, are more prosperous than those who have paid nothing."

On being asked to account for it, he said that he could account for it in no other way than that there existed a sense of *quasi*-ownership—in other words, a security similar to that proposed to be created by the present Bill.

Mr. STAVELEY HILL thought it might not be inconvenient at that point to say a few words with reference to an Amendment standing in his name. He ventured to think that the word "tenancy," as it was used in line 8, could scarcely stand with the definition of the term "tenancy" in Clause 44. The words in line 8 of Clause 1 were "may sell his tenancy;" but the definition of the term in Clause 44 was—

> "'Tenancy' means the interest in a holding of a tenant and his successors in title during the continuance of a tenancy."

He (Mr. Staveley Hill) said that definition could not apply generally to the term "tenancy," as used throughout the Bill; indeed, the Government had already altered it in the first line of the present clause by substituting for the word "tenancy" the word "holding." Now, if the right hon. Gentleman the Prime Minister would look at that part of the 3rd clause where the word "tenancy" occurred, he would find the words "beginning of such tenancy." The word "tenancy" could scarcely be used there, because it was the beginning of his occupancy that was really referred to. Again, at the end of the 4th clause, page 5, line 21, the word "tenancy" was also used in a sense inconsistent with the definition contained in Clause 44. It was clear that the words "provided that the rent of any tenancy" could not mean the rent of the "interest," but the rent of the occupancy; and, therefore, the word "tenancy" in this instance, as also in Clause 3, could not stand with the definition as given in Clause 44. It would be better to stick to the meaning of "tenancy" as Johnson defined it, "the temporary possession of that which belongs to another," and not to give it a new sense as a *vox artis.* It was obvious that the right hon. Gentleman and himself, upon the wording of the Bill, differed as to what it was that might be sold; and, although he agreed with his hon. and learned Friend the Member for Beaumaris (Mr. Morgan Lloyd) that this was not the proper part of the Bill in which the Committee should say what it was the tenant had to sell, and he, therefore, could not support the Amendment now before the Committee, as he thought that no words should come in here which would at all prejudge the great question which they would have to decide in Clause 7, still he thought that they might with propriety indicate that he might sell his improvements and any right he had gained. On the other hand, he did not think the Committee ought to preclude a future definition by adopting the words "sell his tenancy;" and, therefore, he suggested that it would be better to substitute for them the words "may sell any interest he has in his tenancy."

Mr. GIVAN said, the matter involved in the Amendment before the Committee appeared to him to lie in a nut-shell. The question was whether the tenant had the right of free sale of whatever interest he had in his holding, and the first test was to ascertain what was his interest in the holding. By the 1st section of the Land Act of 1870 it was provided that the tenant should have the interest known as the Ulster tenant right, custom, or usage subject to certain limitations. It was clear from the observations which had fallen from the hon. Member for the Tower Hamlets (Mr. Ritchie) that the object of some of the Amendments which had been placed on the Paper by hon. Gentlemen opposite was to introduce into this clause a wording which would enable landlords hereafter to place some restrictions upon what the tenant had to sell. He pointed out to the Committee that it had been the practice on some estates to institute office rules, many of which were not in existence before the Act of 1870, and that these had gone on increasing in stringency until the benefit conferred by the Act had been in many cases cut away altogether. Now, if there was one thing more than another upon which the Irish people had set their hearts, it was the total abolition of office rules, and every unreasonable and local restriction upon the right of free sale. It was the power of selling what was known as the Ulster tenant right which made the tenant right so valuable, and had contributed so much to the prosperity of the Province of Ulster, and it was the want of that which made it indispensable in the Act of 1870 to give the tenant the benefit of the provisions contained in the 3rd clause—that was to say, the right to compensation in case of disturbance. The Compensation Clause of the Act of

1870 was, therefore, the equivalent given to the other Provinces for the Ulster tenant right. And if the tenants in the Province of Ulster had profited under the right of free sale, surely the tenants in the other Provinces were entitled to sell the right given to them by the Act of 1870. If the tenants of Ulster had the right of free sale of their holdings, why, he asked, should the tenants of the rest of Ireland be placed in a worse position under the present Bill by taking away from them the right of free sale in respect of the equivalent given to them by the Act of 1870? He contended that no such power ought to be given to the landlord. The effect of this Bill would be the taking away of those dishonest and improper restrictions which landlords had put upon tenants in the way of cutting down their tenant right; and, therefore, it appeared to him that the wording of the clause was wholly unobjectionable. There was no tenant in Ireland who had not some kind of interest to sell, and the clause simply implied that it might be sold. He thought the only proper way of dealing with this matter in order to give the tenant that free right which he was so anxiously looking for, and in order to take from the landlord the temptation of introducing office rules and thereby causing irritation to the tenants on his estate, was to allow the explicit language of the clause to remain without alteration.

MR. GREGORY thought that some alteration of the wording of the clause was needed. That had been admitted, to a certain extent, by the right hon. and learned Attorney General for Ireland (Mr. Law), who had substituted the word "holding" for that of "tenancy;" and he (Mr. Gregory) thought the right hon. and learned Gentleman might have gone a little further in the same direction, because, after Clause 44 had defined "tenancy" to be "the interest in a holding of a tenant," it went on to say "and his successors in title." There could be no doubt that the Bill did contemplate a succession of interests in the present holding; and, therefore, if the Committee agreed to the word "tenancy" standing in the clause, they would be admitting the principle of succession, which would have to be discussed hereafter. Some qualification was therefore necessary, and he thought that necessary qualification would be best introduced by adopting the Amendment of his hon. and learned Friend the Member for West Staffordshire (Mr. Staveley Hill).

MR. H. DAVEY said, it appeared to him that, under the guise of an Amendment for the purpose of making clear the meaning of the Bill, the Committee were asked to agree to a restriction of that right of free sale which it was the object of the Bill to give to the tenant. For his part, he saw no necessity for giving any further definition than was contained in the Bill of that which the tenant was to sell. His answer to the question—"What is it that the tenant has to sell?" would be—"He is to sell whatever he has got." The object of the clause was not to define the interest of the tenant, but to allow him to make a free sale of his tenancy, whatever his tenancy might be. Further definition was, therefore, unnecessary. For his own part, he found no difficulty in defining that which the tenant had to sell. He would endeavour, as well as he could, to follow the right hon. Gentleman opposite (Sir R. Assheton Cross) in discussing what it was that the tenant had to sell. The right hon. Gentleman had stated, with perfect accuracy, that the tenant, before the Act of 1870, was a tenant from year to year. But it appeared to him (Mr. Davey) that when the right hon. Gentleman made that statement, he omitted a very material factor in what constituted the interest of the tenant before the passing of the Act of 1870. Because, not only was he a tenant from year to year, but he was a tenant from year to year with the reasonable expectation that he would be continued in his tenancy; and he (Mr. Davey) regarded that reasonable expectation as just as a valuable incident to the legal right to his farm. That reasonable expectation was founded on a deep-rooted tradition, and on a sentiment which pervaded the entire Irish people, which few landlords could afford to ignore, and which most landlords did, in fact, recognize. The Committee would remember the strong terms in which the Report of the Bessborough Commission spoke of that deep-rooted tradition and that sentiment which pervaded the whole Irish people, that a man in the possession of land, so long as he continued to comply with the terms of his tenancy, had a right to continue to occupy it. It was therefore necessary to look facts in the face, and admit that what the tenant had, even before the passing of the Land Act of 1870, was something more than a mere tenancy from year to year. He felt sure the experience of the hon. and learned Member for Launceston (Sir Hardinge Giffard) would confirm the statement that in cases of claims for compensation in London the resonable expectation of being continued in occupancy had been treated as ground for compensation. A great deal had been said by hon. Members opposite by way of comment on the language used by the Prime Minister in the course of the debates upon the Land Act of 1870; but it appeared to him (Mr. Davey) quite irrelevant to consider whether in the speeches of the right hon. Gentleman, especially when divorced from the context and the circumstances under which they were spoken, there might not be found some inconsistency. The statement of the right hon. Gentleman that the Land Act of 1870 did not confer any new estate or interest on the tenant, but was intended merely to protect that estate and interest which he had already, in his opinion, described exactly what was the object and effect of that Act, inasmuch as it gave a legislative recognition to that reasonable expectation on the part of the tenant of being continued in his tenancy. It also gave, as far as the compensation clauses went, a statutory protection to that interest. What the tenant had to sell, then, would be his position as tenant from year to year, coupled with his "reasonable expectation;" and when the right to sell this interest was proposed to be given to him, why should it be said—"We will give you the right to sell part of your interest, but not that part which is the most valuable?" Therefore, as he had before pointed out, the right hon. Gentleman opposite (Sir R. Assheton Cross), in moving the Amendment before the Committee, omitted to give consideration to a fact which was one of the most material elements in this discussion. He held that the neglect of that sentiment referred to in the Report of the Bessborough Commission lay at the root of all agrarian crime in Ireland. It was the fact that this tradition and sentiment existed, and that the reasonable expectation founded upon it had been disregarded, that presented to his mind the most ample justification of the legislation in which they were then engaged; and, therefore, if it became necessary to consider what it was that the tenant had to sell, it was impossible to leave out his reasonable expectation of being continued in his tenancy. The hon. Member for the Tower Hamlets (Mr. Ritchie) had argued that the Bill would take away a portion of the landlord's interest merely to give it to the future occupant; but to that he (Mr. Davey) replied, that the experience derived from the operation of the Ulster Custom showed that this was not so. The hon. Member also asked what difference did it make to the occupier whether he paid in the form of increased rent, or in the form of purchase money? It appeared to him (Mr. Davey) that the difference lay in the fact that in one case the tenant paid for something which became his own property, while, in the other, he paid an annual charge for nothing beyond the annual enjoyment. It was the payment by the incoming tenant to the outgoing tenant which gave a sense of property to the tenant, and it was the want of this which was said to lie at the root of the discontent in Ireland. It made a very great difference to a man whether he paid for something in the nature of property which he could sell, or whether he paid simply in the form of rent to the landlord. The unearned increment upon which the right hon. Gentleman the Member for South-West Lancashire had addressed the Committee was a subject of extreme interest. He (Mr. Davey) had no doubt in his own mind that the idea of the tenant's getting the whole of that increment was perfectly illusory. There could be no doubt that in the case of a tenant with a statutory term the landlord would, at the expiration of such term, be able to reap a portion of the unearned increment. The unearned increment would be divided proportionately between the landlord and the tenant, according as the tenant was an ordinary tenant or a tenant under this Act. On the whole, he regarded the definition attempted to be given in the Amendment of the right hon. Gentleman as both insufficient and inaccurate, and he was of opinion that the Committee would do well not to define exactly what the tenant might sell. The intention of the clause was that he should sell his tenancy, and better words than those could not be inserted. What the term "his tenancy" included might be a matter about which theoretical political economists would dispute; but the tenant's occupancy of the land, with all the incidents which attached to it by common law, custom, or statute, was what the tenant had to sell.

SIR STAFFORD NORTHCOTE: I must say, Sir, that this discussion, and not least the speech of the hon. and learned Member who has just sat down (Mr. Davey), have gone far to justify the terms of the Amendment put upon the Paper by the noble Lord the Member for North Leicestershire (Lord John Manners), in which this Bill was referred to as calculated to confuse, without settling, the relations between landlords and tenants in Ireland. In what condition those relations will ultimately be left it is difficult to conceive. I understand the point to be this—we are called upon to provide that the tenant shall be at liberty, freely, or subject to certain conditions, to sell his interest; and we want to know what that interest is. It is obvious that if you leave that uncertain you will be in great difficulty. If the tenant is only to sell the improvements which he has actually effected, no other condition is necessary than that you should have a fair and proper valuation of those improvements. But if he is to sell something more than those improvements, we ought to know what it is, so that both parties should understand the rights about to be created and the interests which will come into existence. What is to be the nature of the right of the tenant to sell? We do not find that either in this clause, or in any clear form in Clause 44, where we might have expected to meet with a definition which would enable us to know precisely what this new thing was that the tenant had to sell. We have had this evening an intimation from the Prime Minister which was something to this effect—you have at present to consider about giving the right to sell; but if there is any question as to what is to be sold we can settle that hereafter. That is really leaving the matter in a very curious position, particularly when it is coupled with the statement of the right hon. Gentleman, made a few nights ago, when asked to lay upon the Table of the House the Amendments he was about to move to Clause 7—that the Committee could not deal with Clause 7 until they had dealt with Clause 1. We find ourselves quite unable to understand what it is that the Government propose to do in order to clear up this state of uncertainty. I think it is desirable, in the interest of both parties, that these matters should be made perfectly clear, because, as I presume, the object of this legislation is to prevent quarrels and disputes, to clear up the rights of parties, and to diminish litigation. We have, however, to thank the hon. and learned Member for Christchurch (Mr. Davey) for cutting the Gordian knot. He said—"The tenant is to be at liberty to sell whatever he has got." I will not attempt to say whether or not that solution is satisfactory—it is the old rule "that those should take who have the power, and those should keep who can." This, as it seems to me, is the point at issue—what is it that the man has got?—in all these quarrels, litigations, and outrages. The landlord says—"This is not your property, it is mine." The tenant says—"It is not. I have possession; you cannot turn me out without infringing my rights." If we are to leave the matter as it stands we are thrown back on the solution of the hon. and learned Gentleman the Member for Christchurch, and in that case I cannot help thinking that the last state of Ireland is worse than the first. But I cling to the hope that before we get to the end of the Bill a definition of a more intelligible character will be arrived at. If you do not like the definition of my right hon. Friend (Sir R. Assheton Cross) let us take yours. We should prefer to have any definition that is clear to being left without any definition at all.

MR. CHARLES RUSSELL said, that in expressing difficulty in understanding what was the interest of the tenant, which this section dealt with, the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) spoke as if, with all respect to him, he had not studied even the elements of the question. He appeared not to have in his mind the pronouncement of the Devon Commission of 1845, which, although it did recognize the existing state of affairs in Ireland, did not recommend legislation with reference to them. It, however, did, in plain terms, assert what was reiterated in the Report of the Bessborough Commission, that there had long been a practical assumption in dealings relating to land in Ireland of a joint proprietorship. That meant that the very thing which the right hon. Gentleman opposite ignored was in accord with the prevailing sentiment and practice both in and out of Ulster. No doubt the Act of 1870 was a bold effort of statesmanship, but still, as he (Mr. Charles Russell) thought, an imperfect mode of dealing with the Land Question in Ireland. It did, to a certain extent, recognize that interest of the tenant by providing a scale of compensation for disturbance, which, by putting a check on the right of eviction, gave to the occupying tenant an increased reasonable expectancy of occupation in his holding; nevertheless, he had thought, and continued to think, that the Act did not go far enough. He was glad to find that the right hon. Gentleman the Prime Minister declined to commit himself to a definition of the tenant's interest. He wished the Committee to mark this, that "interest" was something more than interest in unexhausted improvements—it was that "legal recognition" for which they who represented Irish constituencies contended. What was the state of things as regarded this goodwill? The hon. Member for Monaghan (Mr. Givan)—and no one knew the actual working of the matter better than he did—had said that even in Ulster it was interfered with, to some extent, by office rules. The result was that the tenant was uncertain as to what his interest might be—he might be allowed to realize it, and he might not be allowed to do so; whereas, if he could sell to his neighbour, who might be a stronger man than himself, he would not go out of his holding a dependent, but with some money in his pocket and with a career before him. The landlord was sufficiently protected by his right of pre-emption. The best answer that could be given to the arguments against the right of free sale was the practical answer that in the part of the country where the highest prices were paid by the incoming to the outgoing tenants there the greatest prosperity prevailed. Why was that? It was because the heart of this matter was not merely a question of rent, but a question of security; and because a man who had paid, it might be, an extravagant price to come into possession of the holding, worked with a property in it, and with a sense of security. The result was that the question of rent was often of comparatively little importance; and he would add this, as following from it, that the greater security the tenant enjoyed, the greater security the landlord had for the collection of his rent. The noble Lord the Member for Barnstaple (Viscount Lymington) had pointed out, very clearly, how this tended to the security of the landlord. It was because the money paid by the incoming tenant was a security for arrears of rent, and a security against waste on the farm. The man who paid to come in, and had invested his all in the farm, would struggle as though it were a matter of life and death to make due payment. Money was not the only capital; energy was capital; bone and sinew, and the energy to struggle manfully for an existence, were often the best capital. On those grounds, he submitted this was not an Amendment which ought to be accepted. Let those who voted on the question clearly understand that the object of the Amendment was to cut out of the Bill that which the Irish people strongly desired, and that which the needs of the country strongly required.

Sir R. ASSHETON CROSS said, he did not wish unnecessarily to prolong the discussion, and his Amendment was intended for the purpose of facilitating the proceedings of the Committee rather than the reverse. He had understood the Prime Minister, when he (Sir R. Assheton Cross) had asked the right hon. Gentleman about the Amendment on Clause 7, to say that this matter would be postponed until that clause was reached. He should like to see what the Amendment on Clause 7 would be; and if, on consideration of the merits, he could see his way to accepting it, he would not press his proposal. If he could be sure that the question could be dealt with in the Government Amendment on Clause 7, he should be happy to withdraw his proposal.

Mr. GLADSTONE: It certainly seems to me at present, Sir, that we shall not gain anything by endeavouring exhaustively to define "tenant right." That is the impression of Her Majesty's Government. We believe that tenant right consists of the interests of a man in his occupancy, and our impression is that we cannot mend the matter by defining it. The right hon. Gentleman will certainly lose nothing by the course he proposes to take, because it is plain that he will have a legitimate opportunity of making his proposal when we come to the Interpretation Clause.

The O'DONOGHUE wished to point out in one word that some hon. Members on that (the Conservative) side of the House seemed to be in a complete state of ignorance as to what took place in Ireland. They wished to save the incoming tenant; but they forgot that it was the invariable practice for that tenant to pay a fine to the landlord. ["No, no!"] He said "Yes, yes." The practical effect of the Bill would be to give the outgoing tenant money which was now pocketed by the landlord. There seemed to be intense curiosity as to what it was the tenant had to sell; and he would suggest that this matter should be left to the purchaser, for they might depend upon it that if there was nothing to sell there would not be a buyer.

Mr. A. MOORE said, his experience was very different to that of the hon. Member for Tralee (the O'Donoghue). Very large sums of money were in many cases passing from tenant to tenant. This happened sometimes openly, and with the consent of the landlord; sometimes it was restricted and forbidden; but, all the same, the money was passing. It sometimes happened in case of a marriage that the man paid a large sum of money to the father or mother of the bride to obtain the occupancy of a farm; and, in a thousand ways, these valuable considerations were passing. They were passing under the sanction of the Civil Bill Courts, and under the sanction of the Court of Chancery. A learned Judge, who administered the estates of lunatics and so on, had stated in evidence that he permitted it. This Bill would give the tenant a very substantial and tangible interest, which it would be a great hardship to prevent him from selling. It was said that the passing of these large sums of money would be found, in the course of time, to oust the interest of the landlord, and the reply to that was that practical experience in Ulster showed the very opposite. In conclusion, he would point out that free sale was very much desired by many landlords, as it would enable them to get rid of insolvent and unsatisfactory tenants. It was all very well to bring companies of soldiers to carry out ejectments; but they could not always enforce the payment of arears of rent by such means.

Lord GEORGE HAMILTON said, that many references had been made to the Ulster Custom and its practical working. Well, he believed that they could raise that question much better on the next Amendment, which related to the tenant being permitted to sell at the best price. He had heard of one of the largest estates in Ulster, which, he believed, was rented at below Griffith's valuation, on which tenants had asked for 50 per cent reduction on their rents. He (Lord George Hamilton) had inquired the reason for the demand, and had found the answer in a very temperate and able letter written by one of the tenants in *The Belfast News Letter*. The claim was as distinct as it could be, and was to this effect—"I pay a certain sum for tenant right on a certain farm, and the money is my property, and unless I can get that money back the rent is too high." When hon. Gentlemen stated that tenant right did not interfere with the payment of rent, that was one fact they should bear in mind. A Paper had been issued, showing the number of ejectments in Ireland, and he was sorry to see that those which took place in Ulster far outnumbered those in other parts of the country.

Mr. CHAPLIN contended that there was every reason for defining accurately the tenant's interest, because a little later on they came to a clause which stated that, under certain circumstances, the Court might be called upon to fix the price of the tenant's interest; but how, he would ask, could the Court fix the price if the interest was not defined? Were they going to ask the Court to define something which they were unwilling or unable to define themselves? There appeared to him to be the strongest possible reason for defining the tenant's interest in his farm; and for that object and for this reason, before this clause was disposed of, he should certainly propose an Amendment.

Lord ELCHO said, he did not wish to enter into any argument upon the question, but desired to ask the Government, as a step towards further clauses, to clearly define in Clause 1 what they considered to be the tenant's interest in his holding. This seemed to him to be a very simple question, and one the Government should give a sufficient answer to. What they had heard from the right hon. and learned Attorney General for Ireland was no answer at all. What was the tenants "reasonable expectation?"

Mr. MACARTNEY said, that the large number of evictions which had taken place in Ulster had been referred to; but those evictions could be easily explained. In other parts of Ireland the tenants were not entitled to sell, and the only thing they had was compensation for disturbance. In the North of Ireland, however, they had the right to sell, which was a right worth a good deal of money. When the rent was over due, the landlord had no compunction whatever in selling out his tenant. ["No, no!"] If the rent was not paid the tenant must go out. He sold his holding, he was compelled to sell it, and out of the interest due to him he paid the landlord his rent.

Lord EDMOND FITZMAURICE said, that, as had been stated in evidence, there existed in some parts of the South of Ireland that which, to all intents and purposes, was equivalent to the Ulster Custom. He was glad to take that opportunity of saying that he believed that custom had never been interfered with. The discussion had perfectly convinced him—even if his mind had not been made up—that it was a very great mistake for the Government not to attempt, simply and boldly, to say in the Bill what the measure was —what ought to be found in it, and what ought not. He believed it conferred on the tenants of Ireland a very valuable right, giving not merely a reasonable expectation, but something more —it enabled them to continue undisturbed in the occupation of their holding, so long as they fulfilled certain statutory conditions. That went quite two-fifths of the way towards giving what had been sometimes called the "three F's," and sometimes "perpetuity of tenure." The great misfortune of the position they were in was that, although these things were in the Bill, the Government would not acknowledge that such was the case. The right hon. and learned Attorney General for Ireland came forward and said that that was not "perpetuity of tenure," but that it was "continuity of occupation"——

The ATTORNEY GENERAL for IRELAND (Mr. Law): I do not believe that I used that expression at all.

Lord EDMOND FITZMAURICE said, he should be sorry to misrepresent the right hon. and learned Gentleman; but he had actually taken down the words which had been used. Between perpetuity of tenure and continuity of occupation he failed to see any difference; but perhaps an Irish lawyer might. He had voted for the second reading of the Bill, because it contained an admission of that which he had always believed in in regard to small tenants in Ireland—namely, that in regard to holdings below a certain amount in value they could not maintain freedom of contract or anything of that kind. He believed that in the case of tenancies above a certain value they might leave everything to freedom of contract; but with regard to small tenants, it was necessary to give them a certain determined right, and a certain determined interest, such as existed in Ulster. That interest the right hon. and learned Gentleman had attempted to define as "continuity of occupation." He (Lord Edmond Fitzmaurice), however, did not shrink from defining the tenant's interest as the right or custom of yearly tenants to continue in undisturbed possession, so long as they acted properly as tenants and paid their rents. This was what he believed to be the tenant's interest in Ulster; and he regretted that Her Majesty's Government, instead of giving them this confused and involved measure, had not plucked up their courage and given boldly that which was undoubtedly in the Bill. Although they gave those rights in the Bill, they gave them in such a confused manner that the peasant on the Kerry mountains, of whom he knew something, would have very great difficulty in understanding that they had given him anything at all. Therefore, their measure, although framed with very great trouble, might fail of the beneficial effect they wished it to possess.

The CHAIRMAN: I must remind the Committee that the Question before it is—"Is it your pleasure that the Amendment be withdrawn?" If it is not your pleasure such discussion as we have had is quite legitimate.

Mr. R. H. PAGET said, they had a right to ask Her Majesty's Government what this thing was that was to be sold by the tenant. Let it be little, or let it be much, whatever it was it should be clearly explained to them. If the measure left the House in its——

Mr. GIVAN: I rise to Order. I respectfully submit, Sir, that the hon. Member (Mr. R. H. Paget) is disobeying your ruling.

The CHAIRMAN: I did not give it as a ruling; but, finding that the discussion was a very long one, I reminded the Committee of what the Question really was.

Mr. R. H. PAGET said, he wished to refer to what had fallen from the hon. Member for the City of Cork (Mr. Parnell), who had complained, with great justice, that the interest of the tenant had been left undefined in the Act of 1870. One hon. Member after another had been obliged to admit that one of the great causes of the present difficulty was that the Act of 1870 had left things in a state of confusion. No doubt something was given, or intended to be given; but that something was not defined. He ventured to say, without contradiction, that if the Bill left that House in its present state, indefinite and uncertain, it would prove no more a settlement of the question than the Act of 1870. That Act failed because the House did not know what it gave, and if it was intended to give something the House ought to know what it was.

Mr. WARTON regretted that the Amendment was about to be withdrawn, because the more time was spent in getting from the Government something like a clear statement as to what was really to be given to the tenant, the more would the way be smoothed. Nothing was obtained from the Government but confused and indistinct statements. One evening the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) used the word "deduction," and the next official disavowed it. There had never been one decided statement, and he (Mr. Warton) believed the Government intended to leave the matter in confusion in order that the country should not know what it was that was taken from the landlord and given to the tenant. He warned that Government that the Bill would go to "another place."

Mr. TILLETT asked whether the hon. and learned Member's remarks were in Order?

The CHAIRMAN: The hon. and learned Member is not in Order.

Mr. WARTON said, there seemed to be a determination on the other side to prevent discussion. He was giving the Government a friendly warning, in order that they might avoid a collision between the two Houses. They wanted to provoke a collision, and in such a way that they should get the best of it; but the way to prevent that was to send the Bill to "another place" with a clear definition. To send it up in a confused state, so that the country would see that one House refused to have a clear definition, while the other wanted it, would not be to the interest of the Government. There were men in "another place" who would give a clear definition to the object of the Bill. In 1870 something was taken away, and the Government were now going to take something more away. The Prime Minister had said that, in addition to the value of his improvements, the tenant was entitled to something else, he having paid the competition rent. It was put somewhat in this way. First, there was the land hunger, and it was assumed that that existed on every farm in Ireland. There might be places where it did not prevail; but supposing it did exist, and the competition rent of a farm was forced up from £400 to £500, then, as he understood the Premier, if a tenant paid £100 more than the farm was worth, that would give him a property in the farm. He should say it should be the other way; but the object of the Bill was to give every tenant, whether he paid a fair rent—or on some properties more or less than the value—something else. This iron rule was to be applied alike to the Ulster tenants and to others; and the man who had not paid was to be put in the same position as the man who had. Then there was another thing, the desire to benefit present tenants only. Present tenants were to be benefited; but the Government cared nothing about the landlords or the future tenants. That was why the Bill was a premium to agitation.

Lord ELCHO thought the Committee was etitled to have a clear definition from the Government, for they could not legislate without knowing the meaning and intention of the Government. He trusted the Government would reconsider the matter, and before the clause passed say clearly what they considered to be the tenant's interest, which, in fixing the rent, the Court would have to take into account.

Mr. BIGGAR thought the Mover and supporters of the Amendment were more or less unreasonable; because, if the Amendment was carried, it would take away something which the Act of 1870 gave. At the same time, he thought the opponents of the Amendment had some cause for complaint against the Government, for the Government seemed to leave a great deal to chance; and he would suggest to them, as much for the satisfaction of the friends of the tenant as of those of the landlord, to be a little more clear in their definitions with regard to some parts of the Bill.

Amendment, by leave, *withdrawn.*

Mr. STAVELEY HILL said, he did not propose to make a speech upon his Amendment; but he proposed in page 1, line 8, to leave out the word "his" and insert the words "any interest he has in such," and so make the clause simpler to the end of it. He believed his Amendment would be a clearer definition, and would do more justice than the clause as it stood.

Amendment proposed, in page 1, line 8, to leave out "his," and insert "any interest he has in such."—(*Mr. Staveley Hill.*)

Question proposed, "That the word 'his' stand part of the Clause."

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, the proposed words were quite unnecessary, and explained that "tenancy," according to the Definition Clause, meant the interest the tenant had in his holding. It was more convenient to use one than half-a-dozen words, and the Bill had been framed with a view to using the word "tenancy" throughout. The change was at most only a verbal one, and he should prefer to retain the words in the clause.

Mr. STAVELEY HILL thought "interest" was very little longer than "tenancy;" but after what the right hon. and learned Gentleman had said he would not put the Committee to the trouble of dividing.

Lord GEORGE HAMILTON pointed out that the words proposed by his hon. and learned Friend (Mr. Staveley Hill) were used in Clause 7, and he thought they might be used in Clause 1.

Amendment, by leave, *withdrawn.*

Captain AYLMER proposed, as an Amendment, to leave out, in page 1, line 8, the words "for the best price that can be got for the same." It was one thing to tell a man to sell something which was not defined; but it was not necessary to add "the best price to be got for the same." He thought that was going too far, and the words were also contradictory, because further on in the clause it would be seen that, under certain circumstances, the highest possible price could not be obtained. If a landlord wished to make use of his pre-emptive right, he would have to go to the Court to fix the price. The Court would naturally fix a fair and just price between the parties, and it would be contradictory for the tenant to say he would get a higher price, and that the Bill said he was to get the best price he could. He would be dissatisfied, and his confidence in the Court would be shaken. He did not wish to go over the question of what tenant right was; but it was almost impossible to avoid doing so, because the Bill was so much involved. The Prime Minister had invariably said the tenant right was to be limited. But how? It might be limited by a clause saying the tenant might sell this or that; but they must restrict the price. He had never been able to find out what the interest was; and there should be some principle by which the landlord and the Court and everybody concerned could know what they had to deal with. The landlord would think it hard if the pre-emptive clause forced him to pay the highest price to be got in the market—namely, a fancy price for a fictitious value. He believed, as the Bill proceeded, it would be necessary to introduce some restrictions; but it was unwise to hamper themselves at the beginning by saying "the highest price to be obtained." It was sufficient to say the tenant might sell. There was another point worthy of attention. The tenants in Ireland had always been easily misled; they never cared to study Acts of Parliament, and the very 1st clause of this Bill, telling them to get the highest price, would lead them to imagine themselves with their pockets full of money. The hon. and gallant Member concluded by moving the Amendment of which he had given Notice.

Amendment proposed, in page 1, line 8, to leave out from the word "for," to the word "same," in line 9.—(*Captain Aylmer.*)

Question proposed, "That the word 'for' stand part of the Clause."

MR. MACFARLANE thought the Amendment involved almost a truism. The object of the Amendment was to prevent the Bill from saying that the tenant should sell for the best price. He did not think it at all necessary to say that, because the tenant would sell for the best price he could get, and the Amendment was only a verbal one, which it was not worth while to discuss at any length. The tenant would not sell except for the best price, and it was a matter of little practical importance whether the words were left in or not. He hoped the hon. and gallant Member would withdraw the Amendment.

MR. LITTON observed, that the Amendment must be taken in connection with other Amendments on the Paper, which were limited to the right of free sale. The way to look at it was this. The Ulster Custom was originally an unrestricted right of free sale; but recently it had been restricted by office rules. The first lines of the Bill contained a declaration that the tenant should sell for the best price. That recognized the right of the tenant to get the best price; but if these words were struck out, that would enable the landlord to come in and say—"You may sell, but we will restrict the price." The words could do no harm, and he hoped they would be retained.

MR. R. H. PAGET said, that having an Amendment very much to the same effect as this, he would state the reasons why he thought the words should be omitted. He did not object that the words were too indefinite; on the contrary, they definitely stated that the price for which the article was to be sold was to be the very best price. They defined that only too well, because they established an inconsistency with sub-section 3 of the clause, according to which, in certain cases of disagreement as to the price, the price was to be settled by the Court; and if the words "the best price" remained in the Bill it would be clearly held in Court, when the Court was called upon to decide the value of a tenancy for sale, that the principle of assessment and value had been laid down in the Act. There would be no limitation, and whatever the tenant had to sell, he was to get the "best price" for it; and it would become a nice question whether the Court would have to define, not only what it was that the tenant had to sell, but what the best price was to be. If the price was to be defined as the best price, what would be the best price? The open unrestricted market price. He wanted to understand where they were in this matter. There were many reasons for omitting these words. He recognized to the fullest extent the Ulster Custom—not because he approved of the theory of tenant right, but because the system had grown up and he was not going to disturb it. But they were dealing now with cases in the South of Ireland where there was no such custom; they were dealing with a number of cases in parts where all kinds of habits and customs were in vogue. It was said that in many cases estates were managed on the English principle, and improvements were made by the landlord and not by the tenant. One of the great difficulties of the Bill was that it proposed to proceed on one system with regard to all kinds of tenancies. Suppose a tenant had entered a holding without paying anything, and in a few years, without having made any improvements, he desired to leave and to sell his interest, what sort of interest could he be considered to have created? He had made no improvements and spent no money on the farm; and yet, according to the Bill, he would be enabled to sell for the best price that to which he had no legal right by any action of his own. That would establish, in such cases, a usage which had never before existed, and by which a tenant would obtain property to which he had not contributed one sou. There was another reason for the Amendment. They had been constantly assured that it was intended to deal out even-handed justice as between landlord and tenant. If the State thought fit to restrain the authority of the landlord and prevent him from dealing in open market and getting the best price he could in the way of rent for his farm—and he was not contending against that principle, for it might be quite necessary to do so—even-handed justice demanded that if, on the one hand, they limited the interest of the landlord by preventing his going into open market, on the other hand they should limit the right of the tenant to go into open market. It seemed to him the commonest act of justice to treat the landlord and the tenant equally in this matter. But there was another reason, which he considered stronger still, for these words to be omitted. They were dealing with Ireland, unfortunately, in a state in which they would not wish to see it. Ireland's misfortunes existed, despite the fact that in the last few years many remedial measures had been passed with the object and intention of improving the condition of the people. If that was the condition of Ireland despite those Acts—he might almost say owing to those very Acts——

Mr. BIGGAR rose to Order, and asked whether the hon. Member (Mr. R. H. Paget) was speaking to the Amendment before the Committee?

Mr. R H. PAGET said, if the hon. Member for Cavan would have a few minutes' patience, he would see that the remarks had some bearing on the point. The Encumbered Estates Act had induced speculation and jobbing——

Mr. O'KELLY rose to Order. He wished to know what that Act had to do with the Amendment?

The CHAIRMAN: I am waiting to see whether the hon. Member (Mr. R. H. Paget) does make his remarks applicable to the Question.

Mr. R. H. PAGET, again resuming, said, he maintained that the Encumbered Estates Act had failed in a large measure, and was responsible for much of the present state of things in Ireland. He contended also that the Act of 1870 was likewise responsible, and that under that Act there had grown up exorbitant rents which had led to the present disturbances. Why did those two Acts fail? Because, in spite of them, extravagant rents had grown up, and there had been undue competition for land. Competition for land had caused the failure of those Acts; and he wished to prove that if the present Bill remained as it was, unamended in this particular respect, there would be the same competition and the same result. To give the tenant the power to get the best possible price would give rise with the most absolute certainty to this—step by step, as each successive occupier went into a holding, the amount of payment would be more and more heavy; that would continue, and although the landlord would be unable to get 6*d.* more of rent, the tenant would be unrestricted in selling his interest, and the value would go on increasing until the rents would be as exorbitant as ever. The term "the best price" might satisfy the present tenant, and the present landlord; but they alone were not to be considered. How would the Act affect the future tenants? He believed it would lead to those exorbitant rents which were one of the chief causes of Ireland's difficulties. But how as to the future landlord? If exorbitant rents existed in future, the tenants who paid them would never stop to consider that the landlord was not to blame; but that they were due to the fact that they themselves on entering tenancies paid extravagant prices for what they bought. If the story of landhunger was true; if men would still continue to commit the folly of bidding against each other, and paying for occupation a great deal more than it was worth, what would be the inevitable result? The successful competitor would be launched by his success on the high road to ruin, and his only possible escape would be to sell to some equally deluded purchaser. With their experience it would be madness to deal only with present landlords and present tenants. Everybody wished to restore peace and prosperity to Ireland; and if they took a lesson from the past, and applied that to the present difficulties, they might hope for a happier future for Ireland. But if these words were left he believed they would have but one effect—to prepare for Ireland a certain future of exorbitant rents. He hoped the appeal to the Government would not be vain on this point. There was nothing in the Amendment out of harmony with the principle of the Bill. The principle of the Bill was not absolutely uudiluted free sale. It was conditional free sale, and the object of the Amendment he proposed to move was to infuse into that free sale the principle of justice. He believed it would secure the fullest right to the tenant without injury to the landlord.

Mr. BIGGAR said, that with regard to these Amendments by English Members, he would suggest that inasmuch as this was a Bill entirely affecting Irish Members, it would be well if English Members abstained from taking part in the discussion. As to the particular Amendment before the Committee, he hoped the Government would not agree to it, and for this reason, that, after all, the best test of the value of any article was what it would fetch in the open market. It was very desirable the clause should remain unchanged. Provision was made in a subsequent part of the clause that the holding might be taken into the possession of the landlord, and if these words were struck out, there would be nothing to show what the landlord was to give. It was argued that tenants were very likely to give too high a price for a holding, and that they might impoverish themselves. Hon. Members who argued in this way forgot that in most of these cases the tenants probably had money lying in various banks and bearing interest at 1 and 1½ per cent, and, taking that into account, it would be found that although a very large number of years' purchase might be given, the price could not be called exorbitant. No tangible reason had been given for the acceptance of the Amendment.

Lord JOHN MANNERS said, the Amendment now before the Committee was to strike out certain words which either had or had not any meaning. He believed they had a distinct meaning, and therefore he was disposed to support the Amendment. What was the condition of the tenantry of Ireland contrasted with those who wished to become tenants? Speaking roughly, he might say there were some 600,000 men at present in the occupation of land, and there were some 400,000 who wished to become tenants. Now, the clause as it stood gave an enormous advantage to the 600,000 at the expense of the 400,000. The whole measure was supported upon the idea that the "land hunger" was so great that the tenants must be protected against the landlords. But what class of Irishmen were most possessed of this hunger? Was it that class already in the occupation of land, or that class who were not in occupation, but who wished to become so; and which class was most deserving of the protection of the Legislature? Why, clearly the latter, and not the former. The clause as it stood was entirely in favour of the existing race of tenant farmers, and against the 400,000 who wished to become tenants. The hon. Gentleman the Member for Cavan (Mr. Biggar), following the lead of the Prime Minister the other night, defended the clause as at present framed, on the ground that after all a bargain made in the open market was the best. If there was anything just in the principle of the Bill, it was ten times more just to limit the purchase-money which was to be paid by these most dependent people in Ireland to the men who were now in possession. It seemed to him the Bill, as drawn, was nothing more or less than one huge bribe to the men in occupation. These men were a very powerful class politically; but it was said that socially and morally they were without power. It was a great bribe to this class at the expense of their landlords on the one side, and against the interests of the incoming tenants or would-be tenants of Ireland, who, politically speaking, were a powerless class on the other. The clause as now drawn was essentially unfair, and he should support the Amendment of the hon. and gallant Gentleman (Captain Aylmer).

Dr. LYONS pointed out that the total number of occupiers of agricultural holdings in Ireland was, on the authority of the Registrar General, not more than 576,040 in 1879, and, by the present Census, was shown to be not more than 523,609. What particular argument the noble Lord the Member for North Leicestershire (Lord John Manners) chose to draw from the fact that there were 400,000 labourers in the position of expectant tenants, he (Dr. Lyons) was not able to see, because no one could conceive that the labourers of Ireland were in a position to replace in any considerable number the present tenant occupiers. It might be a very desirable thing at a later stage of the Bill to discuss whether additional provision should not be made to place a certain portion of the labouring class upon the waste lands. That was entirely beside the question at present. An absolute necessity existed for retaining the words in the clause, or for substituting some other words which should preserve to the occupying tenant the right of selling his holding. This was really one of the most vital and essential clauses of the whole Bill. For the first time for many centuries in this country the Legislature now proposed to recognize what anyone who took the trouble to inquire into the historical position of the Irish tenant must and could easily find out—namely, that the tenant had an undoubted right to the position which he at present occupied; that he was, in fact, the historical successor of the primary owner or occupier. He trusted the Government would see the absolute necessity of standing firm to this clause. There was no question whatever that the great expectation existing throughout Ireland was that there was now to be, not a confiscation, but a restoration of those rights to which the tenants firmly believed they were entitled by an unbroken tradition. Unless these traditional rights which the tenants had in their hearts, and which all the Commissions plainly showed really existed, and were habitually acted upon, were fully acknowledged, they would never be able to produce a condition of stable equilibrium in Ireland, or one that would give satisfaction to the Irish tenants. In point of fact, the right to an occupation, and a continuous transmission of occupation in Ireland, was far more clear and far more ancient in other Provinces in Ireland than it was in Ulster. In the Province of Ulster it dated from the reign of James I., while in the other Provinces it dated from periods earlier than the Desmond confiscations of property in the reign of Elizabeth. In many instances where large seignories were conferred upon the English settlers, it was only upon the conditions that they should plant the lands and establish a certain and defined number of tenants upon them, with a clearly determined acreage for each class of tenant. It was worthy of note that the Irish property so ably represented in that House by the noble Lord the Member for Barnstaple (Lord Lymington), and on which "free sale" existed with such happy results, as shown in the eloquent speech of his noble Friend, was held in direct descent from one of the original grantees of a seignory (Sir Henry Wallop). It was said that it was the Act of 1870 which first created an interest in the tenancies of Ireland. He believed that was a mistake, for that Act only went a short way, and it was simply a timorous step towards the recognition by the Legislature of a pre-existent right; and one reason why it did not give full satisfaction to the Irish tenants was that it did not recognize what they themselves knew very well from tradition to be the fact—namely, the right they had to continuous residence on the land they now occupied. He believed the great step they were now taking would undoubtedly have the effect of producing a state of tranquillity by recognizing in the tenants the right to dwell in the lands they now occupied, so long as they fulfilled the conditions under which they held them. He would venture to cite to the House the words of the Statute 18 *Edward* I.—

> "*Liceat unicuique libero homini terram suam, vel tenementum, vel partem, inde pro voluntate suâ vendere.*"

To the operation of that statute might be traced the growth of that class which in a shortly subsequent period had furnished the soldiers who fought at Cressy, at Poictiers, and at Agincourt. He had never heard it alleged that that was a Confiscation or Spoliation Statute as against the great lords, the magnates, and the *Domini Capitales* of the Kingdom. He trusted, as he had said, that the Government would stand firm upon this clause, and he regretted that any intimation had as yet been given that it was possible it might be altered. He believed that nothing would be more dangerous with regard to the future effect of this clause than trying to whittle it away or qualify it. Such a step would only be to open up ground of future dissension among the tenants. Any attempt made to minimize or qualify the clause would only be laying ground for future discontent and trouble. If they had the courage to take as their precedent the great Statute of Edward I., now nearly 600 years old, they would go a long way towards putting an end to the dissatisfaction and discontent which prevailed in Ireland, and in producing a condition of permanent tranquillity.

Sir ANDREW LUSK did not intend to enter into a discussion of the clause at all, but would confine his remarks to the Amendment, and he would ask the right hon. and learned

Gentleman the Attorney General for Ireland (Mr. Law) the meaning of the words "the best price that can be got." Was it not a very clumsy phrase to put in an Act of Parliament? What was the best price that could be got? If a price were named, and they went up to a Judge upon the Bench, with one lawyer on the one side and another on the other, the one would say whatever the price was, that it was the best that could be got, while the other would as certainly say that it was not; and where were they then? Was it the best phrase that could be used, or was it not a most clumsy phrase? He did not find fault with the clause; but he did not think that the Judge should be bothered and annoyed because they could not understand the meaning of any particular expression in an Act of Parliament. Surely they would never dream of putting into the clause "the best industry that could be got," "the best honesty that could be got." No Court could understand the meaning of such phrases. He hoped the phrase would be left out, and that some words would be afterwards inserted to define what it was that was meant. It was by such clumsy legislation that Courts of Law were puzzled when they came to consider Acts of Parliament.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the words referred to would occasion no embarrassment to any Judge who had ever been in the habit of interpreting the common trust for sale which was contained in ordinary deeds. The hon. Baronet the Member for Finsbury (Sir Andrew Lusk) asked the meaning of the phrase. He would tell the hon. Baronet the meaning. It meant that a tenant should have the power of transferring what was his to another tenant for the best price that could be got for it in the market. They did not mean to authorize any restrictions, or to enable the landlord to insist upon the tenant not selling to a stranger. They meant, as a general rule, that the tenant should be able to transfer his property—namely, what belonged to himself as distinguished from what belonged to the landlord—and by no possibility could a provision of that kind operate to the disadvantage of anybody. The tenant simply transferred property that was his own, and subjected the landlord to no more injury than the tenant would be subjected to by the landlord transferring his reversion. The clause provided that whatever the tenant might have to sell, he should be able to sell in the open market for the highest price that he could obtain for it.

LORD GEORGE HAMILTON said, he trusted, before they came to a decision, the Government would recognize the immense gravity of the question before them. The statement just made by the right hon. and learned Gentleman the Attorney General for Ireland was not quite consistent with the Bill. The right hon. and learned Gentleman said that the clause gave the tenant the power of selling only what belonged to him. If it only gave the tenant the power to sell what belonged to him, why did they give power in the Bill, if he sold something that did not belong to him, to recoup the owner? [The ATTORNEY GENERAL for IRELAND (Mr. Law): Where is that?] It was in that very clause, which said that if the outgoing tenant sold the improvements which the landlord had made, the landlord could then claim from the person to whom the improvements were sold the value of them; and in Clause 7 it was specially provided that if the rent was below what the Court considered a fair rent, and the outgoing tenant sold the difference between that rent and a fair rent, the landlord might get compensation from the person to whom the property had been sold. Those words in the Bill appeared to be utterly inconsistent with the declaration of the Prime Minister, because the right hon. Gentleman told them that it was not intended to give by the Bill an unlimited right of free sale. The argument which had been used in favour of unlimited right of free sale had been naturally derived from the experience gained by what was going on in Ulster. Now, he lived a great deal in Ulster, and in a part of the county where the tenant right was higher than almost anywhere else. It was perfectly true that in the North of Ireland there was a more satisfactory condition of things so far as land tenure was concerned than in other parts of Ireland; and it was also true that free sale was an ingredient of the Ulster tenant right system. Therefore, it was argued that if they extended that system of free sale to other parts of Ireland, they would establish a state of things as satisfactory as that which existed in

Ulster. Now, that was an entire illusion. The hon. and learned Member for Dundalk (Mr. Charles Russell) had given an eloquent description of the wrongs which Ireland had so long been suffering—social, political, religious, and commercial. But it must be remembered that Ulster was especially free from such disabilities. In the first place, there was a similarity in creed, an affinity in race between the occupiers and the owners of the soil in Ulster which did not exist in any other part of Ireland. Secondly, they had concentrated in the North of Ireland the one great manufacturing industry — namely, the cultivation of flax and the manufacture of linen. The enormous advantage of that manufacturing industry in Ulster might be stated in a sentence. The increase in the population of Belfast alone was greater than the increase over the whole of Ireland. Outside Ulster, the population of no town had increased; whereas, in Ulster, the population of almost every town had increased. Thirdly, there had never been among the Northern districts the same dislike of emigration; and fourthly, and lastly, the people of Ulster had brought to bear more concentrated habits of industry than existed elsewhere. The advantages of tenant right were self-evident under these circumstances. Every tenant had a right, which he could realize whenever he wanted to sell. In many parts of Ulster, what were called roadside evictions were almost unknown—that was to say, that people were not turned out houseless and penniless on the roadside. But if any pressure were put upon them, they could realize their tenant right at once. He had no wish to depreciate the enormous advantages of Ulster tenant right; but there were certain disadvantages. The most preposterous price was paid for tenant right, so that a new tenant came in rack-rented up to the very hilt. He had seen cases in which the tenant had put forward improvements effected by the landlord as an inducement to purchasers to buy the farm, and had stated that the landlord was considerate, and would not press for arrears. In Ulster, what were known as "sweeteners" went round and forced up the price of tenant right, so that men who desired to obtain land were compelled to pay a tremendous price for it. He had no wish to attack the system of tenant right in Ulster. He approved of that part of the Bill which prevented the rights of the tenant from being confiscated at the termination of a lease. Therefore, he was not arguing against the question of tenant right; but he contended that that clause did not apply to Ulster tenant right. And he would go further, and say that wherever the Ulster tenant right did hereafter apply to a tenancy, the principle of free sale should be given to the tenant. They knew the advantage of the Ulster Custom, and its disadvantages also. Then, could not they, in the new statutory tenant right they were about to apply all over Ireland, give to the tenant all that he could justly claim, and, at the same time, give it to him free from the unquestionable danger which attended unlimited free sale? The right hon. and learned Gentleman the Attorney General for Ireland said he had never known a case where the incoming tenant was not wealthier than the outgoing tenant. That meant that the only tenants in future would be rich ones. Another argument which naturally occurred why Ulster tenant right remained so high was, that very few farms changed hands. That being so, it would appear to follow that the efficacy of the proposed arrangements would be shown in their being practically inoperative. He quite agreed that as the House, by a large majority, had assented to the second reading of the Bill, and as the condition of Ireland was very critical, it was the duty of all of them to point out any dangers that existed, in order to make the remedies as complete as possible. There was one suggestion which he himself would make to the House, and he had placed an Amendment on page 4 of the Paper with that view. He would give to every tenancy to which the Ulster Custom at the present moment applied, or to which it might hereafter apply, with the consent of the landlord, an unlimited right of free sale. But to those tenancies to which that section applied outside Ulster, he would give the landlord power in any case to ask the Court to value the tenancy the tenant proposed to sell; and in this way a tenant would get complete security for his improvements and for any interest he might have. But if they did not enact some such limitation as that, they might find themselves involved in very great difficulties. He might enumerate one or two which unquestionably would occur. It was difficult, however, to raise the question without referring to Clause 7, which affected rent. He would illustrate his meaning by a casual reference to that clause. The reason why the Government brought in this Bill was, he understood, that owing to the land hunger which existed the prices given for land were very high, and that the landlord took advantage of this land hunger to charge excessive rents. The Bill said—"You shall have a rent assigned to you by the Court, and not one farthing more shall you get;" and to the tenant they said—"You shall sell your share for the maximum competitive price you can get in the market." Then what followed? It was a matter of certainty that if the landlord's interest was so regulated by statute as to prevent him getting one farthing of this inflated price for land, and the tenant could get what price he could obtain, that he would get the inflated value, not only on his share, but on the landlord's share also. This was what did happen now, and would happen again. Then what did they do? They deducted the interest they had given to the tenant from the commercial or full value of the farm. He had talked pretty often to the farmers of the North of Ireland about their tenant right, and the argument they always used was this—"We have a property in this farm." Had the Prime Minister ever attempted to define what that interest was? It was the simple definition of "pounds, shillings, and pence;" and if, hereafter, any landlord allowed any tenant to sell any portion of his interest, and the incoming tenant had paid money for it, the tenant would regard the sum he had so paid as a pecuniary charge upon that farm. It would naturally be suggested at once to that tenant, that if hereafter, owing to a fall of prices, or to a series of bad years, he could not realize in the market the money he had given for that interest, it was due to the rent being too high. That had happened before, and would happen again; and what were they going to do under the Bill? A great deal had been said as to the satisfactory relations which existed between Lord Portsmouth and his tenants. No doubt, Lord Portsmouth treated his tenants with kindness and consideration; but his estates were in a different position from the majority of estates. The land was exceptionally good; there were no holdings under 20 acres; and, lastly, it was situated close to an excellent market—the town of Enniscorthy. If those conditions existed elsewhere, they would not have the Irish difficulty to deal with; and it was because they did not exist that they were called upon to deal with it. Therefore, they could not draw any conclusion from what was the result of unlimited free sale on Lord Portsmouth's estate. The fact was, that if they split an Irish tenancy into two, the two halves would exceed the whole. It was a curious fact, but it was so. He challenged contradiction of the statement that if the landlord bought the tenant right on his farms, he would get a better price by keeping them separate than by amalgamating them. If this clause passed in its present shape, he was afraid that the result would be that the landlords whose rents would be most reduced would be those who had shown the greatest consideration for their tenants. It was admitted that rent regulated tenant right—that was to say, the higher the rent the lower the tenant right. If that was so, the position could not be reversed; it could not be said that unlimited tenant right meant higher rents. It was an entire fallacy to assume that rents in the North of Ireland were so much higher than they were elsewhere, in consequence of the existence of tenant right. Rents were higher because in that part of the country there were a certain number of towns, each with a largely increasing population, which afforded better markets for the produce of the neighbouring farms. Having advanced what he considered to be good reasons why the words "for the best price that can be got for the same" should not stand in this section, he said he was anxious, in every possible way, to protect the Ulster Custom. At the same time, he thought the Committee would be acting unwisely deliberately to ignore the experience derived from the working of that custom during some years. Some years ago, when the Prussians had beaten the French, it was determined to adopt in England the short-service system, in spite of the warnings that the conditions of its success in

Prussia were wanting here; and the result had been recurring difficulties, which could be met only by expenditure. The defects of Army organization might be remedied by the expenditure of money; but if we now insisted on an unlimited extension of tenant right in Ireland, ignoring the disadvantages which accompanied it in Ulster, we should not find it easy, by expenditure or any future legislation, to remedy the mistake. We should be giving every tenant a right in his tenancy, the value of which would vary as the landlord was good or bad, and the better he was, the higher would be the tenant's interest. This seemed to him very hard upon those who treated their tenants well. On those grounds, he asked the serious attention of the Committee to his proposal, which was to protect the Ulster Custom where it now existed, or where, hereafter, it might exist, but to prevent a tenant selling that which unquestionably did not belong to him, because hereafter he would claim it as his property, and that claim would have to be made good.

Mr. SHAW said, he had listened with interest to the speech of the noble Lord the Member for Middlesex (Lord George Hamilton), who spoke with great fairness as well as knowledge of the subject. The question of Ulster tenant right occupied a large share of the attention of the Committee on which he (Mr. Shaw) had served. Evidence of all kinds had been laid before them, and they had endeavoured to find out, as far as they could, the defects of the system, and how they could be remedied. The result of their investigations was that, according to the experience of every man who knew the country, it was not of the slightest use to attempt to limit the Ulster Custom, and that any attempt to do so must end in failure. None of the office rules that it should be limited either to five or 10 years' purchase had been effective; for when a sale took place it was invariable that a sum of money was paid outside the office in addition to that which was paid within it. Take the most prosperous parts of Ireland—the Downshire property, the estates of the noble Lord's father, and almost any in the North of Ireland, where the tenant right had been unlimited and practically uninterfered with by the landlord in any way—would there not be found on these estates the best class of tenants in Ireland, who had been in all respects the most prosperous, and who had improved their holdings to the greatest extent? There were other things than high rents to be considered by landlords; there was such a thing as safety in the matter of rents to be borne in mind. The man who was content with moderate rents, when his neighbour fixed them 10 or 15 per cent higher, would in in a number of years obtain the most money, with the satisfaction of being surrounded with a more prosperous and contented tenantry. What had made Ulster prosperous? It was the fact that the landlords had been kind and indulgent, and the security afforded to the tenants had induced them to lay out money in improvements upon their farms, until there was better farming than was to be found on some of the crack farms of England. If they could embody the 7th clause with the 1st, he believed there would be little trouble with the rest of the Bill. As to the tenant right, that was about to be extended to the rest of Ireland. The Bill would not create it. On almost every estate it had existed, not only since the Land Act, but before the passing of that measure. Wherever a tenant got into arrears and wished to move, no landlord prevented him realizing something for the goodwill of the holding and for improvements. This was rooted in the minds of the people, and there was no use in trying to interfere with it. You might as well attempt to root out the Irish brogue or an English accent. The English system of managing estates hardly existed in Ireland, and no landlord would try to adopt it; he must accept the conditions of the country, and in that way he would get more rent in the long run from a happier population around him.

Mr. CHAPLIN said, he could not pass without contradiction the statement of the hon. Member for Cork County (Mr. Shaw) that there was absolutely no part of Ireland in which tenant right did not exist. He was bound to point out that the statement of the hon. Member did not tally with the evidence given before the Agricultural Commission, and to remind him that there were cases in which the landlords had actually bought up and extinguished the tenant right.

CAPTAIN AYLMER reminded the Committee that the only objection that had been taken by the right hon. and learned Gentleman the Attorney General for Ireland to the Amendment was that it would enable landlords to fix office rules. There was amongst landlords no particular objection to the fixing of fair rents, nor to a certain continuity of tenure; but they very much objected to unlimited free sale. It was clearly unfair that the landlords should have the value of their property fixed, and that the tenants should be able to sell their holdings in the open market. He thought that sufficient reasons had now been given to enable the Committee to come to a decision.

MR. P. MARTIN did not understand on what grounds landlords should thus strongly press these objections to the right of free sale. It had been admitted that instead of insolvent tenants, solvent tenants would be substituted. In consequence, more capital would be applied to the cultivation of the land, and the arrears of rent due to the landlord would be made good. He submitted that it was a great mistake to suppose that the right of continuous occupation in unimproved land had sprung into existence only under it in consequence of the passing of the Act of 1870. That right had been recognized by the Devon Commission, and the Report showed that it was created not alone by the improvements effected by the tenant, but that it existed also in connection with land on which there had not been a shilling expenditure in that way by tenants. It arose, as shown in the evidence, from the fact only of occupation by the tenant. Therefore, he appealed to hon. Members to dismiss from their minds the idea that this right of sale which existed under it was incident to the Ulster Custom. The tenant's interest had been alone created by the tenant's improvements.

MR. BRODRICK said, there was a distinct divergence in the statements made by the Prime Minister and the right hon. and learned Gentleman the Attorney General for Ireland, as to what was intended by the words which stood in the clause at the point now before the Committee. The former right hon. Gentleman stated that he did not mean there should be unlimited tenant right; while the right hon. and learned Gentleman stated, with equal distinctness, that the meaning was that the best price that could be got should be obtained for the tenancy. In view of so complete a divergence between the statements of those right hon. Gentlemen, he did not think the Committee should go to a division without further explanation.

MR. GLADSTONE: Sir, the hon. Member who has just sat down (Mr. Brodrick) has pointed to a supposed divergence in the statements of my right hon. and learned Friend and myself, which I am able to show is no divergence whatever. My right hon. and learned Friend, whose opinions I know, and who is in the closest communication with me on the Bill, in supporting the wording of the clause, declared that to obtain the best price that could be had in open market was the general rule in Ulster. With regard to the inflated state of the market, and the consequent unhealthy competition—these are matters which have created the exceptional conditions which we are about to deal with, and can be considered separately.

Question put.

The Committee *divided*:—Ayes 141; Noes 55: Majority 86.—(Div. List, No. 225.)

Amendment *negatived.*

MR. R. H. PAGET, who had the following Amendment on the Paper:—In page 1, line 8, omit "the best price that can be got for the same," and insert—

"A fair price—that is to say, in the case of any holding subject to the Ulster tenant-right custom, or to any usage corresponding therewith in which the customary sale of such tenant-right has hitherto been in open market, the best price to be obtained by such sale in open market.

"And in every other case such price as may be agreed upon between landlord and tenant, or, in case of dispute, may be settled by the Court, after consideration of all the circumstances of the case, as the fair price for such tenancy;"

said, he had hoped that the last Amendment, which was one of a liberal character, would have been met by Her Majesty's Government in a friendly spirit. It was not hostile, and it had not been conceived in a spirit of hostility, to the Bill. But it had not been its fate to be accepted, and they had an important admission from the Prime Minister that the point the Committee had decided was to be the ordinary law for the present, and that exceptional cases, the result of which was feverish excitement, intense competition, and extravagant prices, could be dealt with subsequently. They had had a most important admission from the Prime Minister; and, seeing that they were to have another opportunity of considering the matter under the Amendment of the noble Lord the Member for Middlesex (Lord George Hamilton), in order to shorten the debate, he should be willing to withdraw his proposal.

The CHAIRMAN said, the Amendment which stood in the name of the hon. Member for Mid Lincolnshire (Mr. Chaplin) had been decided by a previous Vote.

SIR WALTER B. BARTTELOT said, he had an Amendment to move which he thought deserved to receive some consideration from the Prime Minister. The right hon. Gentleman had practically declared that he was prepared to entertain any reasonable Amendment to the proposal for free sale which had just been carried—that where it could be proved that there were cases deserving consideration, where tenant right had been bought up by the landlord, an exception should be made. The right hon. Gentleman, in answer to the hon. Member for Stroud (Mr. Brand), had stated that in cases of new tenancies, where the landlord let at a reasonable rent, there was a *primâ facia* case for saying that no tenant right should exist. Would the right hon. Gentleman say how far he was prepared to go with regard to these exceptions? He (Sir Walter B. Barttelot) had put down a very reasonable Amendment, to the effect that exception should be made where the landlord had purchased the tenant right from the tenant, or where the tenant had received some equivalent for the same; but if the Prime Minister would give a satisfactory answer to his question, he would withdraw the Amendment and accept the words the Government would put in the Bill. The right hon. Gentleman, he felt sure, at any rate, he hoped, would not run away from his promise, and he would ask him to rise in his place and state to the Committee how far he was prepared to go. In the meantime, he would formally move the Amendment of which he had given Notice.

Amendment proposed,

In page 1, line 9, after the word "same," to insert the words "except where the landlord has purchased the tenant right from the tenant, or where the tenant has received some equivalent for the same."—(*Sir Walter B. Barttelot.*)

Question proposed, "That those words be there inserted."

MR. H. R. BRAND said, the Amendment of the hon. and gallant Baronet opposite (Sir Walter B. Barttelot) dealt with the point that he (Mr. Brand) had raised in the Amendment he had moved; in fact, it went further, and he was therefore unable to support it. He would remind the Committee of what occurred on the occasion to which he referred. He had moved to omit from the operation of this clause future tenancies. It was acknowledged by the noble Lord the Member for Woodstock (Lord Randolph Churchill) and by the Prime Minister that there was some good in the Amendment; but it was said that it would prevent a certain class of tenants from selling that which they had bought. It was not his intention to do that; and, therefore, as he had understood the Prime Minister to make a concession to the effect that in regard to exceptional cases—namely, where a man rented land which the landlord had in his own hands at the time of the passing of the Act, or land of which the landlord had bought up the tenant right, there should be an exception made, and that favourable consideration would be given to any new Amendment on the question, he had withdrawn his proposal. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote) had rather complained of his action in this respect, and seemed to think that he (Mr. Brand) ought to have pressed his Amendment, even if it were shown to be an unreasonable one. The Amendment, as it was clearly shown, went too far; therefore, he thought he was justified in withdrawing it, and trusting to the concession which he understood the Prime Minister to make. Well, he had considered the question of making further Amendments to the Bill; and as the effect of the Bill as it stood would be to rack rent the future tenant, he thought the best way to meet the point would be by a permissive clause, enabling the tenant, in the cases contemplated, to contract himself out of the Act. That Amendment had better come in another part of the Bill; but it seemed to him that this was the best way of meeting the point. His Amendment would give the landlord an opportunity to offer the tenant an alternative, and would enable him to say—"If you will contract yourself out of this sale clause, I will not charge you any premium; it will not be necessary for me to charge you the full commercial rent." He (Mr. Brand) might be right, or he might be wrong; but that was the way the matter struck him, and he would ask the Prime Minister how far he would be able to go in accepting it?

Mr. GLADSTONE: I was about to rise when I saw that my hon. Friend behind me (Mr. Brand) wished to address the Committee; otherwise I should not have lost a moment in replying to the hon. and gallant Baronet opposite (Sir Walter B. Barttelot). If this had been a matter of confiscation, I should have requested him not to introduce the Amendment on this portion of the clause; because I think it evident that the best thing to do would be, first to decide upon the general construction of the clause, and then proceed to introduce the limiting conditions or exceptions which it might be proper to introduce. With regard to what has fallen from the hon. Member behind me, I may say that I am fully prepared to carry out the pledge I gave the hon. Member the other night in qualified terms—in qualified terms, because then I had not been able, as I have had an opportunity since, of considering the matter fully and discussing it with my right hon. and learned Friend the Attorney General for Ireland. As my hon. Friend has observed, the Amendment of the hon. and gallant Baronet goes further in one respect than the Amendment my hon. Friend moved on a former occasion, because it deals with two cases; first, where the landlord has purchased the tenant right from the tenant; and next, where the tenant has received some equivalent for the same. With these last words I must own I do not feel able to deal. I am not sure what they might mean. I do not know into what they might lead us; therefore, I could not give any pledge as to that. But, with regard to the first category, and likewise some other classes of land touched by the Amendment of my hon. Friend behind me, the hon. and gallant Member does not mean, I presume, to include cases in which the tenant has been evicted and a caretaker has been put in possession, but only those in which, by voluntary arrangement between the landlord and tenant, the tenant right has been bought up. There is also another class of cases which have not been mentioned in the debate, but which are strictly analogous in substance—cases where the converse process has occurred, and where the tenant has purchased the interest of the landlord. With regard to both these classes of cases, what we propose is to allow the parties interested to contract themselves out of the Act. That is what my hon. Friend suggests. As to demesne lands, none of these are subjected to the ordinary conditions of agricultural holdings, and we should propose to include them with the classes to which I have just referred in the clause, which would give freedom to contract out of the Act. That is applied to the whole mass of agricultural holdings in Ireland, and I do not think it would interfere with the general action of the Bill. I have much pleasure in so far meeting the views of the hon. and gallant Baronet; and if there is in the latter part of the clause anything that he thinks it material to propose, it will be fully considered. I would suggest the withdrawal of the Amendment, in order to insert in their proper place words making the clause, in certain instances, permissive.

Mr. A. M. SULLIVAN saw, in the proposal to render the Act in certain cases permissive, the germ of an exceedingly grave danger. The spirit of the Bill was to throw a shield over the class who were not in position to make free contracts; and if they admitted the right to make free contracts, they would be abandoning the object of the Bill. Looking at the condition of the Irish tenantry, all contracts ought to be within the view of the equitable tribunal which the Government were setting up for the protection of the tenant. He could quite see that it might be right to meet some such case as this—that was to say, where the landlord had *bonâ fide* extinguished the tenant right. No one could pretend that the tenant should be paid twice over; but he would ask the Prime Minister to beware. He thought he should be able to show, in his humble way, that most inequitable written contracts were extorted from the tenants by the landlords. Knowing that the whole spirit of this Bill was so equitable, he trusted that the Prime Minister would accompany it by a safeguard framed in this spirit.

Mr. CHARLES RUSSELL pointed ought that there might be cases where the landlord had purchased the tenant right 20 years ago, and where, since that time, there had come into existence a new tenant right of a different value, varying in kind and character, but still a right which ought to be protected—namely, the right of occupancy, with a reasonable expectation of its being continued, and that right fortified by the Compensation for Disturbance Clauses. There were, besides, the improvements which the industrious tenant from year to year created.

Mr. W. FOWLER said, he understood from the Prime Minister that he did not accept the words proposed, and that the whole matter was to be left over for a new clause to come afterwards. He knew cases where the landlord had for many years given up all arrears of rent in order to prevent the sale of tenant right on his estate. For instance, a man might go out owing a great deal of money to the landlord. He might say to the landlord—"I want to sell;" and the reply might be—"No, you shall not sell; but I will forgive you all your arrears, and you shall go out free." That had been done on a very large scale in Ireland; and although it might not be a distinct purchase of the tenant right out-and-out in form, yet it would be practically purchasing it. It ought to be quite clear that a case of this kind would not be lost sight of in the clause.

Mr. CHAPLIN said, the Prime Minister had objected to the second part of the Amendment of his hon. and gallant Friend, because he did not know how far it might lead; but if his hon. and gallant Friend would divide his Amendment into two, there would be no difficulty in accepting the first part. As to allowing the tenant to contract himself out of the Act, that concession did not seem to have any considerable weight, because if the Bill became law he failed to see what there was in the world to induce anyone to contract himself out of it. The tenant would be in a most advantageous position; and if it was proposed to him that he should contract himself out of the Bill, he would say—"I will see the landlord somewhere first." No one could propose that if a landlord had *bonâ fide* purchased tenant right, that the tenant should be paid for that right a second time.

Lord RANDOLPH CHURCHILL said, that if, under the provisions of the Act of 1870, the landlord had purchased the tenant right, the Prime Minister was willing to bring up a clause to preserve and secure that contract. That was a statement of the case as it stood.

Mr. H. R. BRAND said, that, as he understood it, the Amendment proposed by the Government would only affect cases where, in the past, the landlord had bought up the tenant right—that was to say, cases since the passing of the Land Act. Was it also to apply to cases in the future where the landlord had, by voluntary arrangement with his tenant, purchased up the tenant right? ["No, no!"]

Sir STAFFORD NORTHCOTE: I do not wish to enter into this particular discussion; but I rise for the purpose of asking the Government whether they will be able, before we meet again after the Holidays, to lay on the Table the Amendment they really propose to submit to the House? We have now so far discussed the Bill as to raise, in a practical form, several of the difficulties that occurred to us in dealing with the question, and we have had promises from the Government that they will consider and endeavour to meet some of the difficulties so raised. It would be a great advantage to us if the Prime Minister would put the Amendments he proposes to make on the Paper—the Amendments he proposes to make either in the 7th clause or in any other part of the Bill. It is not unreasonable that we should be allowed, as soon as possible, to see the Amendments in print.

Mr. GLADSTONE: The request of my right hon. Friend is not unreasonable; but, at the same time, it is desirable to remember what progress we have actually made with the Bill. Before the Government proceed to stereotype any alteration of their views by laying Amendments on the Table, from which it would not be desirable for them subsequently to recede, we must be allowed to consider what ground we have made when we re-assemble to-morrow. To-morrow, I will say all that I can, when

I see the progress we have made to-night. As to creating a power, in the cases I have described, for contracting out of the operation of the clause, my right hon. and learned Friend the Attorney General for Ireland will be prepared to-morrow, or certainly before the House meets again after Whitsuntide, to lay on the Table the words of the proposal we shall make.

Mr. MACARTNEY asked whether the provisions as to free sale would refer to town parks?

Sir WALTER B. BARTTELOT considered this an important Amendment; but he was not altogether satisfied with what the Prime Minister had stated. What they distinctly wanted to know was whether all who had purchased the tenant right in tenancies which now existed would be exempt from the provisions of free sale under this Bill? Future tenancies were altogether different from tenancies existing at the present moment in which solemn contracts had been made; and what was wanted was an explicit declaration from the Prime Minister that present tenants should not come under the provisions of the Bill. That was a clear and simple statement, and he felt sure the Prime Minister would see that, with a view to passing this Bill, it would be better to state plainly what he meant.

Mr. SHAW said, the hon. and gallant Baronet (Sir Walter B. Barttelot) seemed to think that if a man bought up the tenant right he could extinguish it for ever. That, however, was not so. Some years ago a man bought up the tenant right, and thought he was all right; but the land was sold, and the tenant right revived, and was as strong as ever. They might as well try to make water run up a hill as, by legislation, to prevent this or that. No matter what they did, tenant right would go on. The hon. and gallant Baronet seemed to think there were a great many estates in Ireland where the tenant right would be bought up; but he (Mr. Shaw) thought there were very few, and that in the future there would be fewer. No landlord would be such a fool as to spend his money in buying up tenant right, getting 1 or 1½ per cent for his money; he would rather leave the tenant right where it was, and put the money into some good outside investment.

Viscount LYMINGTON hoped the Prime Minister would not accept the Amendment. He thought it would lead to great difficulty, possibly in some cases to great imposition, and that it would be much better to leave the matter to the Court.

Mr. GIBSON objected to the proposal of the Prime Minister, and thought the right hon. and learned Gentleman the Attorney General for Ireland was unreasonable. As he understood, they proposed to deal with this question under the 17th clause, and with a new Amendment. This Amendment proposed to deal with present tenancies, and there was not a single syllable to narrow it down to future tenancies. [The Attorney General for Ireland (Mr. Law): It includes both.] Then, there was no difference on the point; and if it included both, then the way in which present tenancies were to be dealt with was this—every contract in which a landlord had purchased or acquired, before the passing of this Bill, possession of the tenant right would be exempt. If that was not meant, then he failed to see how the Government proposed to deal with the question. The Government proposed to deal with the present Amendment in respect of both present and future tenancies. [The Attorney General for Ireland (Mr. Law): Only future tenancies.] It appeared, then, that the Government were going to deal with the Amendment as if it was absolutely confined to future tenancies, and to leave out of view present tenancies. Was it to be understood that under no circumstances whatever, no matter what were the privileges the landlord might have given, no matter how benevolent his conduct or how wide and generous his consideration for the tenant, the Government did not intend to deal with his control of free sale in any remedial form? If so, there had better be some further explanation. Was it to be understood that under no circumstances whatever was any present tenancy to be dealt with, no matter what the landlord had given to acquire the right to control free sale? [The Attorney General for Ireland (Mr. Law): Yes.] Then he was prepared to wait for the way in which the Government proposed to deal with future tenancies. The Prime Minister had pointed out that it would be a hardship to exclude future tenancies from the benefits of this clause in cases were they had purchased from the last present tenant the right of occupation. He understood that the Government were prepared to deal with future tenants, and, therefore, there was no difficulty about that; but there was a difference of opinion as to present tenants.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) stated, that the Government proposed to deal simply with future tenancies, and called attention to the fact that the whole matter arose from the Amendment of the hon. Member for Stroud (Mr. Brand), who wished to exclude all future tenancies from the Bill. The Government objected to that, and they did not propose to allow any present tenant now in occupation to exempt himself in any way from the operation of the Bill, unless it were a tenant who held above a limit of £150 valuation. In cases where a landlord had bought up the Ulster tenant right, leaving the tenant in possession, the tenant right was, by the Act of 1879, extinguished, and there was nothing in this Bill to revive it. The Irish tenant in possession at the time this Bill passed would be practically in the same position as the tenant in Ulster alone had hitherto been. He would have the same protection as the tenant in Ulster; his occupation rights were protected by the Act of 1870; and the Government did not intend in any way to enable the tenant whose Ulster Custom had been bought up to contract himself out of the provisions of the Bill, unless his valuation exceeded the proposed limit. Subject to this, all would be in the same position.

MR. HEALY regarded the Amendment as being conceived in the spirit of the Emergency Committee. What was proceeding in Ireland now was that the landlords were going on evicting, and where they could not evict they bought up the tenant's interests. Forced sales, not in free auction, but surrounded by the police and the military, were taking place, and yet the hon. and gallant Baronet, while the country was in that condition, desired that the entire right of free sale should be extinguished. He appealed to the Government to remember that while making concessions to the opposite Party on the one hand, they were on the other storing up reservoirs of future danger to themselves. It was those Gentlemen who had brought Ireland to its present state—by the policy of repression and keeping down the tenants at all times and on all hands, and by which, when an excellent Bill was brought forward, it was sought to minimize it in every direction, and which, if the Government made concessions, would whittle down the Bill to such an extent that it would not be worth the paper it was printed upon. If the Government wished their Bill to be successful, they must pay some regard to the wishes of those who were most interested in it. They had studiously held their tongues during this discussion, and in the course of about ten nights' debate on the last stage of the Bill, not three speeches had proceeded from that part of the House. The Bill had been in Committee four days, and how far had they got? Two lines. He was not one of those who approved very much of this Bill, and he would rather see it thrown out altogether; but what he complained of was, that while on the one hand liberty was being struck down in Ireland, on the other hand they would not get this Bill at all.

THE CHAIRMAN: The hon. Member is speaking wide of the Amendment.

MR. GLADSTONE: I think we should carefully endeavour to avoid mixing up the discussions on this Bill with references to the condition of Ireland. I assure the hon. Member, in the most perfect good faith, that we adhere to what we formerly declared. We desire to bring this Bill to the best possible success, and we shall accept fair discussion upon any fair Amendment, without regard to the quarter from which it may proceed. The hon. Gentleman, I am sure, will see that if we were to adopt a principle so unjust as to say to any particular Party—"We have a suspicion of your intentions, and decline to examine Amendments proceeding from you," we should only exasperate excited temper and lengthen the discussion. The right hon. and learned Gentleman (Mr. Gibson) has, I think, stated with accuracy that which is really the material part of the question raised by this Amendment—namely, that which relates to future tenancies; because, in my belief, with regard to present tenancies, the matter is so small as to be almost infinitesimal. But he will perceive the nature of the difficulty. We are anxious that nothing given by the Act of 1870 shall be taken away by this Act. But he says that where a landlord had purchased the Ulster right, the effect of that would be to throw the tenant back on the Act of 1870; so that whatever general rights he possesses under the general law he possesses notwithstanding the purchase of the right. We wish that the right should be purchased; but it would not be fair that the man should stand on an equal footing with the general tenants.

MR. A. J. BALFOUR found it difficult to reconcile what the Prime Minister had just said with what he had previously said upon this Amendment. In his first speech, the Prime Minister said that in those cases where, under the Act of 1870, the tenant right had been bought up, the landlord and tenant should be under free contract. But, since that statement, the right hon. Gentleman and the right hon. and learned Gentleman the Attorney General for Ireland had spoken again; and now it appeared that even when a landlord had, under the Act of 1870, bought up the right, he would not be under free contract. The landlord would have again to buy up the tenant right. Then there was this further question. His hon. and gallant Friend (Sir Walter B. Barttelot), he thought, believed the Prime Minister agreed with him a great deal more than he really did, since he supposed that if his Amendment was carried, the landlord, after buying up the tenant right, could not come under the provisions of the Bill. But all that the Prime Minister said, even with regard to future tenancies under those circumstances, was, not that the landlord and tenant would not come under the provision of the Bill, but that they would be able to contract themselves out of the Bill. That was altogether different, because, in order that the landlord and tenant should contract themselves out of the Bill, there must be something to give the tenant to induce him not to contract with the landlord not to come under the Bill; whereas, if the Amendment was carried, those landlords who had purchased the right would not be under the Bill at all. They would not be required to give any consideration, and by the operation of the Bill there would be no difficulty at all. The real fact was, that the Prime Minister did not agree with the hon. and gallant Member as to present tenancies, and only in a modified degree as to future tenancies.

SIR GEORGE CAMPBELL pointed out that if a landlord had bought up the tenant right, under the arrangement proposed by the Government, he would be free to deal with it as he pleased. But if he re-let it, the tenant would come under the Act of 1870, and have the right to compensation for disturbance. On the other hand, under the Act of 1870, he might contract out of the Act if the holding were above £50, or gave a lease recognized by the Act for 31 years. As the Bill now stood that would be saved by the provisions of the Bill. Either the tenant had acquired the right or already had it under the Act of 1870, or it was reserved to the landlord; and it seemed to him impossible that the Committee could settle the details of the arrangements the Government would make. He hoped the hon. and gallant Member would withdraw his Amendment on the understanding that the Government would re-consider the whole question and bring up a new clause.

SIR THOMAS BATESON said, he knew a number of cases in which the tenant right had been purchased up by the landlord with hard cash, and the farms re-let to new tenants on the understanding that tenant right was to be extinguished under the 2nd sub-section of the 1st clause of the Act of 1870, and that such holdings should cease henceforth to be subject to the tenant right custom. He understood the Prime Minister to agree to the first part of the Amendment of his hon. and gallant Friend (Sir Walter B. Barttelot); but, after some conversation with the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law), he shifted his ground, and then stated that if a landlord had bought up the tenant right, the tenant would under the new Act be in the same position as the tenant in Munster; but he would be able, under Clause 1 of this Bill, to sell his holding, including the buildings and improvements of his landlord, to the highest bidder, and the landlord who had purchased the right under the Act of 1870 would have his purchase money confiscated. He had purchased the tenant right; he had re-let the farm as an English tenancy; and the Prime Minister might, with quite as much justice, confiscate a tenancy in Cheshire or Hampshire as to confiscate the tenant right purchased by the landlord under the Act of 1870. The Bill, as now drawn, confiscated such tenant right. He would read a letter which would explain the matter more clearly than he could. It was written by a Member of the Land Commission, who said— .

> "But when we come to remember there are landlords who have bought up the tenant right on their properties, and that this 1st clause will immediately take from them what they bought, and without any compensation hand it back to those from whom they bought it, an even more striking example of the grave injustice which it involves is presented to our minds. I have present in my mind the exceeding danger of the endorsement by the Government of such a principle of purposeless confiscation. To correct the clause and render it just in this respect, would in no appreciable degree restrict its scope. The number of holdings on which the tenant right has been bought up is not great, but their fewness does not mitigate the injustice."

That letter was written by a Gentleman upon whom the Prime Minister only the other night passed the greatest possible eulogy—namely, Mr. Kavanagh, one of the Members of the Bessborough Commission. He (Sir Thomas Bateson) knew many gentlemen who, on the faith of the Land Act of 1870, had so far placed confidence in the Prime Minister that they purchased up the tenant right on particular holdings, fondly imagining that no Minister of the Crown would, within 11 years, come down to this House and deliberately propose to confiscate property which he himself had created.

Mr. A. M. SULLIVAN said, that to anyone who had taken the pains to consider the details of the Bill, speeches like the one they had just listened to were distracting, because they showed that an almost inconceivable misconception existed in respect to the Bill. Let him say what he understood the Prime Minister to say, because the utterances of the right hon. Gentleman had been pulled to pieces and read in various ways. It seemed to be forgotten by hon. Members that this discussion arose out of another discussion concerning future tenancies. It was essential to recollect that if they would correctly understand what the Prime had said. By a subsequent clause in the Bill the future tenant was, in the first instance, at all events, allowed freely to contract with his landlord; he must make the best terms he could with the landlord as to his holding. He understood the Prime Minister to say that one of the elements of an agreement in the case of a future tenancy would be an agreement between them; that previous to the passing of this Act the landlord had *bonâ fides* extinguished the tenant right from his holdings. If he was correct in the understanding that this matter related exclusively to future tenancies, and that it was only in that sense that what was called free contract existed, he did not think the observations just addressed to them had at all touched the subject. They were now discussing the tenant's right to sell whatever might be in him, and yet they had the hon. Baronet the Member for Devizes (Sir Thomas Bateson) suggesting that when the landlord had bought the tenant right on any particular farm, the tenant under the Bill would be free to sell the right again. Such a thing was impossible. The tenant could only sell what was in him. Had the tenant nothing to sell but the occupation right? Supposing a landlord bought the occupation right, surely he would not prevent the tenant selling whatever else belonged to him?

Sir STAFFORD NORTHCOTE said, they were getting rather deep, and he wanted to see if they could not prevent themselves getting deeper. The hon. and gallant Baronet (Sir Walter B. Barttelot) had done very good work in calling attention to this point. The hon. Member for Wexford (Mr. Healy) said just now they had had four nights' discussion on the Bill, but they had only got to the 3rd line of the 1st clause. That, of course, was literally true; but though they had only reached the 3rd line, they had raised in the discussion several very important questions, and they had shown what the difficulties were with which they had to deal; they had also got from the Government an acknowledgment, in general terms, that they were sensible of some of those difficulties, and to a certain extent they were prepared to meet them. Instead of fighting the Government in the dark, he would like to see their proposals upon paper. He at first thought the Government were prepared to agree with the greater part of the proposal of his hon. and gallant Friend —namely, that where a landlord had purchased the tenant right, they would recognize the purchase. He could quite understand that they might be prepared to recognize the principle, and yet not like to take the exact words of the Amendment. He was not sure that the Amendment, as now worded, might not raise difficulties with regard to the sale of improvements and other matters; and, therefore, it perhaps would be as well not to press the Amendment in its present form if they could get the principle admitted. It would then be understood that the Government would submit that principle to them in a form in which they could challenge and discuss it. The Government said they were ready to do this with regard to future tenances. The hon. Member for County Cork (Mr. Shaw) said they need not trouble themselves very much about the matter, because in the uncertainty which the Bill would involve they would not be likely to find landlords buying up tenant right or anything else. But with regard to persons who had to deal with the matter in future they had, after all, the question of *caveat emptor*. The Prime Minister seemed to think that very few persons would be affected, and that therefore it did not signify what injustice was done. They ought, in point of justice, to take their stand for the present on the proprietors who had, in some way or other, acquired the tenant right, as they all knew there were certain important and excellent landlords who had acquired the tenant right at very great sacrifice on their own part. They had acquired the right, and they ought to be protected. The words of his hon. and gallant Friend were not, perhaps, the best chosen, but words mattered little. If the Government admitted the contention upon which the words of the Amendment rested, his hon. and gallant Friend would be happy to leave them to choose their own words, and put them before the House.

MR. GLADSTONE understood the recommendation of the right hon. Gentleman (Sir Stafford Northcote) was not to take the issue on the present occasion, because the words of the Amendment did not appear to be quite accurate for the purpose. That was a matter, of course, with which he could not interfere; but he was always sorry to have long discussions without really deciding anything. He did not think the right hon. Gentleman opposite had any idea of the point at issue. He had said he knew cases of persons who had made very considerable sacrifices to acquire the tenant right. The real question they were discussing was not that of persons who had made sacrifices by keeping down rents or foregoing arrears, but of all the persons who had really purchased the right. [Several hon. MEMBERS: It is the same thing.] It was not the same thing; the two things were totally distinct. There were landlords, without doubt, who had charged less rent than they might; there were landlords who might have foregone arrears with direct or partially direct views towards the exclusion of the growth of tenant right upon their properties. But these cases were never touched in the debate on the Motion of the hon. Member for Stroud (Mr Brand), and they were not touched at all in the 1st part of the Amendment now before them. They belonged to a very different class, and the Government were endeavouring to provide for them in a different way. But the point which was not perceived by the right hon. Gentleman was perfectly perceived by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson). It was with the purchase cases of present landlords only that the Committee had now to deal. He had said these purchase cases were few in number; in fact, he had not yet even heard of one. [Sir THOMAS BATESON: I know of several.] If the hon. Baronet would supply the Government with the particulars they would be very useful indeed, and should be inquired into very carefully. Let them suppose such cases existed. What had happened? They would be exclusively Ulster cases; and the Ulster landlord had purchased up the Ulster Custom, and he was encouraged to do that by the Act of 1870. By purchasing it up, the landlord extinguished the right, and it remained extinguished and would not be revived by the present Bill as it now stood. But that was not the whole of the transaction. If he got rid of the tenant, and let the farm afresh, he brought in a new tenant, which new tenant took the tenancy fortified by compensation for disturbance; and it was with regard to that new tenant that, in the name of justice, some people say we confiscate the property of the landlord. The Government, however, said—"Leave to the landlord the full effect of that which he bought up, and leave to the tenant that which the landlord in this very transaction left to him—namely, that he should take an occupancy which was kept fortified by compensation for disturbance." The Government considered that if there were individuals who liked to buy, they ought to be allowed to sell.

LORD EDMOND FITZMAURICE said, it seemed to him that his hon. Friends opposite were rather hard upon the Treasury Bench in regard to this matter. He was a party to the discussion the other evening upon the point raised by his hon. Friend (Mr. Brand), and it appeared to him there could be no strong complaint against the course adopted by the Prime Minister. The understanding which was entered into had been most honourably carried out. The point which his hon. Friend the Member for Stroud brought forward related purely to future tenancies, and to future tenancies alone; but the Amendment of his hon. and gallant Friend opposite (Sir Walter B. Barttelot) related to a totally different matter. He (Lord Edmond Fitzmaurice) could not quite find where, in the Land Act of 1870, the doctrine was contained which his right hon. and learned Friend the Attorney General for Ireland had stated that night for the first time—namely, that when a landlord has, under the 2nd clause of the Land Act of 1870, bought up the Ulster Custom, or the value of a custom analogous to the Ulster Custom outside Ulster, thereupon the holding or the tenancy came within the Compensation for Disturbance Clause. He wished to point out to his right hon. and learned Friend the Attorney General for Ireland that the 3rd clause strictly limited compensation for disturbance to cases upon estates outside Ulster, or upon estates where no custom analogous to the Ulster Custom existed.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, he thought his noble Friend would not contradict him, when he (the Attorney General for Ireland) said that no lawyer had construed the Act in the way suggested. All the 1st and 2nd sub-sections of the 3rd clause did was to extinguish the peculiar usage in the particular holding.

THE O'DONOGHUE could quite understand that if a landlord bought from the present tenant the right to sell, and if the tenant wished to go, he could not expect to be paid again. But supposing the landlord let the farm to another tenant, would that tenant have the right to sell? If he had not that right, the danger contemplated by the hon. Member for Wexford (Mr. Healy) would be very apparent—and that was, they would have landlords buying up the tenant right expressly to deprive future tenants of the right of sale.

MR. HENRY THOMSON said, a tenant of his brother's desired to go to America, and wanted to be bought out. It was decided he should have £800, and that was handed to him. The farm had been let to another man; and he (Mr. H. Thomson) would very much like to be informed by the Prime Minister under what clause his brother could be repaid the £800 he had paid to the last tenant?

MR. GLADSTONE replied, that if the hon. Member for Newry would supply him with particulars, he would cause an inquiry to be made into the case. He would not now say anything as to the prudence or imprudence of the transaction; but it appeared to him that the incoming tenant would be entiled to compensation for disturbance, and for such compensation people were ready to give money.

MR. CHAPLIN said, it would have been much more satisfactory if the right hon. Gentleman had explained whether, in a case of the sort referred to, a present tenant, under Clause 1, as it stood now, would have a right to sell his tenancy at the best price in the event of his going out of the farm. Although hon. Gentlemen opposite had argued as if there were only two cases—namely, one in which the landlord had purchased the tenant right and occupied the farm himself, and the other where he had re-let the farm, there was a third case which often happened in Ireland, and that was where the landlord had purchased the tenant right and let the farm. Where the tenant right had been bought by the landlord one day before the passing of the Bill, was the tenant the day after to have the right of re-selling the tenant right and to be paid twice over? That was a point upon which an answer should be given before the division was taken. Then the right hon. Gentleman said the cases were limited to Ulster. That was a point he (Mr. Chaplin) was not prepared to contest then, though he thought reference would show its existence outside Ulster. But, even if limited to Ulster, the right hon. Gentleman said—"Leave to landlords the right they have bought up from the tenant, and leave to tenants the right of compensation for disturbance;" but the principle of the Land Act was damaged for causeless eviction, nothing else. But how was it proposed to extend that now? It was proposed to give the tenant compensation for disturbance, even if not evicted at all. The sole right they had, under the Act of 1870, was for damages for causeless eviction, and now it was proposed to extend that right to compensation whether evicted or not.

MR. GIVAN said, a good deal of misapprehension existed as to the present state of the law and the effect of the Act of 1870 on the tenant right and custom of Ulster. It had been explained by the Prime Minister and the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) several times that when the landlord had acquired the right, the custom became extinct, and did not again attach to the holding. He (Mr. Givan) did not agree with the hon. Member for Cork County (Mr. Shaw) that, no matter how the landlord purchased it, tenant right would attach to the holding again. It would not exist, owing to the express provision of the Act of 1870, which said as much. Then, if tenant right did not attach to the holding after it had been acquired by the landlord, the plain answer to the hon. Member for Mid Lincolnshire (Mr. Chaplin) was this—that a tenant could only afterwards sell what he had got; and he had not got tenant right, because the landlord would have purchased it. It was plain that if the tenant right was once extinguished it did not again attach to the holding; and the tenant, not having the tenant right to sell, could not sell under the Act. All he could sell was what he had got—that was, his interest in his tenure; but not the tenant right, when the landlord had bought it up. What he (Mr. Givan) understood the Prime Minister to say was, that present tenancies, where the tenant right had not already been purchased, should be exempted from any action of the landlord to acquire or appropriate it in future. He had known instances where the tenant, being a year's rent in arrear, was evicted for non-payment; and then the landlord insisted subsequently that by the eviction of the tenant and the loss of one year's rent, owing to the misfortunes of the tenant, that he (the landlord) had acquired the tenant right. But it had been held, on several occasions, that was not acquiring the tenant right. No one, however, on that side of the House would insist that the landlord having purchased the tenant right, that right again attached to the holding. The Land Act of 1870 settled that conclusively.

SIR WALTER B. BARTTELOT said, he was exceedingly disappointed at the after-statement of the Prime Minister. When the right hon. Gentleman first rose, he distinctly understood him to say that he would have every regard for present tenancies, where the right was bought up by the landlord; but now he had gone absolutely away from that proposal. It would have been much better, in the interests of the Bill, if, instead of looking to hon. Members below the Gangway, he had listened to those who were not unwilling to assist the Bill by amending it in a reasonable manner. The people of the country would judge whether confiscation was or was not intended, if after a man had entered into a deliberate and solemn contract with his tenant, and bought up the tenant right; if after that they were going to take that absolutely away from him, and hand it over to the tenant—if that was intended, then people would know that not the most solemn contracts, deliberately entered into, and money having passed, were sacred now that the present Government were determined to take from those what they had every reason to consider their legitimate right.

MR. STANSFELD said, the words in the clause in question were "the tenant for the time being of every holding may sell his tenancy, &c.," and then upon reference to the Interpretation Clause it would be found that the definition of tenancy is "the interest in the holding of the tenant and his successor in full during the continuance of the tenancy." It was clear, therefore, that the 1st clause could only give to the tenant the right to sell what was his own. What might become his own was a question that should be discussed under the 7th clause.

Question put.

The Committee *divided*:—Ayes 125; Noes 199: Majority 74. —(Div. List, No. 226.)

SIR GEORGE CAMPBELL, in moving, as an Amendment, that the words from the word "regulations" in line 9, down to the word "conditions" in line 11, be omitted, said, it must be considered in connection with Section 45, a section which he did not like, and which, when it came on for discussion, he proposed to amend, for it seemed to him that it affected the whole character of the Bill. The present Amendment was merely to raise the question which really turned upon Section 45. That section appeared to be an afterthought, suggested in a spirit of compromise to satisfy somebody who did not like the Bill, for it was wholly inconsistent with the rest of the Bill. By that section, whenever the landlord was enabled to sell on account of any breach of the statutory conditions, that tenancy was determined, and the landlord could create a new tenancy, and the after-tenancy would not have the conditions such as were attached to the old tenancy. Now, that appeared to him (Sir George Campbell) to be a confiscation of the tenant's right created under the Bill. It was most severe as against the tenant, who would have this sword continually hanging over his head — that if by any chance he committed a breach of the statutory conditions he would find his tenancy determined. During the debates it had been clearly shown that, a new tenancy being created, a landlord might protect himself by a rack-rent of the full value; and so the new tenancy would leave nothing to the tenant, and everything to the landlord. He was delighted to see that the noble Lord the Member for Middlesex (Lord George Hamilton) had given Notice of an Amendment going in the same direction as the one under Notice, and he had hoped for the unusual pleasure of going into the same Lobby with the noble Lord; but, for reasons best known to himself, the noble Lord purposed to withdraw his Amendment. It was important to observe what the statutory conditions were, the breach of any of which would lead to the forfeiture of the tenancy. There were many. If a tenant failed to pay his rent at the appointed time he was ejected, his tenancy forfeited, and his right confiscated. And so in other cases, a tenancy, according to Section 45, would

> "Be deemed to have determined whenever it is sold in consequence of a breach by the tenant of a statutory condition."

He would be glad to find if he was mistaken in his construction of the section; but it seemed to him these conditions were much too severe, infinitely more severe than most leases. In the case of a breach of a condition attached to the lease of a London house, by an equitable provision of the law, the tenure was not forfeited, and it seemed unreasonable that this severe condition should be imposed on the Irish tenant. He hoped Her Majesty's Government would explain that he was mistaken in his construction of the words, and that the Amendment he now proposed would not be necessary.

Amendment proposed, in page 1, line 9, to leave out from "regulations" to "conditions" in line 11.—(*Sir George Campbell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the Amendment was unnecessary, and that the provisions to which the words referred were not those of the 45th section as to determination of tenancies, but those of the 4th section as to resumption of tenancies in certain special cases.

Question put, and *agreed to.*

MR. A. M. SULLIVAN, who had the following Amendment upon the Paper:—In page 1, line 12, after "(1)," omit from "except" to "shall," and insert instead—

> "In the case of holdings valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of not more than forty pounds, the sale shall, except with the consent of the landlord;"

In line 13, after "only," insert—

> "Provided that by no such sale shall any holding, unless by leave of the Court, be divided so as to constitute a new holding of less than twenty acres of arable land,"

said, that it raised a very serious question, and one which would arise on the consideration of various parts of the

Bill—namely, the permission to tenants to sub-divide where the farms were large. But as the hon. Member for Limerick County (Mr. O'Sullivan) had also a similar Amendment to propose, and because he (Mr. A. M. Sullivan) thought it desirable that Amendments of a similar character should be condensed, he should withdraw his, in order that the Committee might reach the Amendment of his hon. Friend.

Amendment, by leave, *withdrawn.*

MR. O'SULLIVAN, in moving, as an Amendment, to insert, at the end of the 1st sub-section—

"In cases where the tenancy for sale is value for one hundred pounds per annum and upwards the court may allow the tenant to sell to more than one person: Provided that the value of any one lot shall not be less than thirty pounds per annum,"

said, he thought the Committee would be glad to reach, at last, a sensible and practicable proposal. The object of the Amendment he was about to propose was to give power to the tenant to sell to more than one person. In the case of the large farms, unless the power of sub-division was given, it would be almost impossible to find purchasers on account of the large amount of capital required to pay for the tenant right and tenant's improvements, as well as for the purpose of stocking the farm. Another reason why he thought the Amendment should be accepted was that it would assist in breaking up the large grazing farms, which had been the curse of the country. He would now move it, and trusted the Prime Minister, in view of its reasonable character, would be able to adopt it.

Amendment proposed,

In page 1, line 13, after "only," insert "In cases where the tenancy for sale is value for one hundred pounds per annum and upwards the court may allow the tenant to sell to more than one person: Provided that the value of any one lot shall not be less than thirty pounds per annum."—(*Mr. O'Sullivan.*)

Question proposed, "That those words be there inserted."

MR. GLADSTONE: I am sorry we cannot entertain this Amendment. The first reason against our doing so is that it might be extremely injurious—nay, almost ruinous—to the landlord, because it might involve detaching for one portion of a holding a building which could be fully utilized only for the whole farm. But the other reason, which I think more fundamental, is that there is no reasonable expectation on the part of the tenant that he should sell to more than one person. When he took the holding, he took it to keep as his holding, and it could not possibly have entered into his expectations that he should have the right to cut it into several portions. It would, therefore, be unjust to allow him to do so to the injury of the landlord.

MR. A. M. SULLIVAN said, that was the first instance in connection with the Bill in Committee in which anything like a conflict of opinion had arisen between the Government and hon. Gentlemen near him. The Amendment before the Committee was of tremendous importance, because its principle touched cases of devolution and inheritance of property as well as cases of intestacy. The intention of the Bill was that there should be no sub-division of those large farms in Ireland from which the tenants had been sent away, while hon. Members who supported the Amendment believed it would meet the real difficulties of relieving congestion in certain parts of Connaught if, within the four corners of the Bill, encouragement was given towards the sub-division of those large farms in Ireland. Moreover, it was the impression in Ireland that in the mind of the Government, when proposing some of the clauses of the Bill, there lurked a desire that the consolidation of farms might proceed, and that the sub-division of the large grazing farms might not be effected. He said that while it was granted that there was a mischievous excess of small holdings in some parts of Ireland, the real way to relieve the people was not by encouraging the deportation of every class of people who ought to be maintained in Ireland, but by encouraging migration to the farms which might be reasonably and rationally carved out of those large farms which sprung up in 1871 to 1875. He appealed to the right hon. Gentleman to recollect that this was not a case of what the tenant imagined when he took the farm. A great deal of domestic bitterness and strife might, undoubtedly, take place, unless sub-division to a reasonable extent were admitted on farms large enough to bear it. He entreated the Government to consider once more before they came to a final decision on the question of permissive sub-division. He represented a county in Ireland in which one might travel five or six miles without seeing what the farmers called red earth ; and his blood had been chilled in places where neither the smoke of a cottage was to be seen nor the cry of a child heard for nine miles. The question now raised touched deeply the feelings of the Irish people. They asked that these large farms might be made the means of relieving the miserable little holdings which painfully existed in some parts of Ireland. He assured the Government that Irish Members who had fully considered the Bill were unanimously of opinion that sub-division was necessary; and he again appealed to the right hon. Gentleman to re-consider the Amendment of his hon. Friend the Member for Limerick County.

MR. CHARLES RUSSELL said, he fully recognized that it would be utterly unjust to the landlords to give the tenants power to sell their farms in lots. That had been clearly pointed out by the Prime Minister. But he failed to see why the Court, to which so many great powers were to be committed by the Bill, might not safely be trusted to protect the interest of the landlords, and, in cases where it was right and just, to give their sanction to a moderate sub-division of farms.

MR. SHAW said, he would also appeal to the right hon. Gentleman the Prime Minister to give his consideration to this subject, which was one of very great importance. There were cases, he would admit, in which it would be most absurd to compel the landlord to agree to the cutting up of his farms; but there were also cases in which the landlord, by acting like the dog in the manger, would prejudice his own interest if he did not consent. For his own part, he deplored the existence of these large farms in many parts of Ireland, and he looked to this Bill as a means by which they might be broken up.

MR. PARNELL thought a good deal might be said in favour of the suggestion that the question of sub-division should be left to the discretion of the Court. The Prime Minister had said it would be unjust to allow the tenant to sub-divide his holding, because when he came into possession he never expected to have the right of selling his interest in portions. But, in all probability, neither did he expect to have to sell any interest in the holding at all. So that the argument, if it cut against the right of selling the interest divided, would also cut against selling the interest as a whole. But, speaking on this question from an economical point of view, he thought it was one of the utmost importance for the proper cultivation of many of those large grass districts to which reference had been made. It was a matter of perfect notoriety that the grazing tenants holding large tracts of inferior grass land in the Western counties of Ireland were many of them in a state of bankruptcy ; that they had an insufficiency of capital for the purpose of cultivating their holdings, many of which, from an agricultural point of view, were urgently in need of tillage. He had himself driven over a distance of from nine to 12 miles in county Mayo and had not seen a single human being or a single habitation. A state of things existed there that was truly deplorable. There were large tracts of land of inferior quality in that county which were not capable, agriculturally speaking, of remaining long in a condition of permanent pasture without deterioration. The way to break up these lands was by adopting the plan recommended by the hon. Member for Limerick County (Mr. O'Sullivan), or by applying the principle of purchase. He did not agree with what had been said by the hon. Member for the County of Cork (Mr. Shaw). He thought it a very fair compromise, and one which the Prime Minister might accept with confidence, under certain restrictions and regulations, that the Court should permit the present occupying tenant to sub-divide his holding. It had been said that the Bill was an Ulster Bill; but it so happened that the Ulster counties would not be affected by the Amendment, because the system of clearances had not proceeded to any great extent in those counties. It was the Western counties—Galway, Mayo, and Sligo—where these clearances had taken place, and which would be affected by the Amendment. He did not think the county of Cork would be affected to any great extent. There were, however, five or six counties in Ireland where the adoption of some such provision as that contained in the Amendment of his hon. Friend was necessary to secure and protect the proper cultivation of the soil. He would therefore suggest that, if the Amendment were withdrawn, the Prime Minister should give some substantial hope that he would, before the House met again that day, re-consider the whole question with a view to meeting the almost unanimous wish of Irish Members.

MR. J. N. RICHARDSON also hoped the Prime Minister would re-consider this matter, and if a division was not taken on the Amendment of the hon. Member for Limerick County (Mr. O'Sullivan), that he would, perhaps, see his way to adopt the suggestion of the hon. and learned Member below him (Mr. Charles Russell) to allow the Court to deal with the question of sub-division. He had the honour to represent the county which in Ireland was called "The county of small farms," which, he believed, would compare favourably with any other in respect of the payment of rents.

SIR R. ASSHETON CROSS said, he hoped, on the contrary, the Prime Minister would stand by the declaration he had made. He agreed with the statement of the right hon. Gentleman, that the tenant when he took his holding could have had no notion that he would have the right of dividing it. As the Bill stood already, the landlord was not to get the best price he could for his property. But the case was different with the tenant; he was to have the power of getting the very best for his share, and now it was proposed that not only should he get the best price for it as a whole, but that he might, so to speak, cut it up into little bits. Considering that, up to the present time, the tenant was not supposed to have any joint proprietary in the soil, it was a strange thing to say that the landlord was not to get the best price he could, but that the tenant was to do so, and was to be allowed to cut up the land into small portions.

SIR JOSEPH M'KENNA thought that of the two Amendments, that of the hon. Member for Limerick (Mr. O'Sullivan) was to be preferred. If it were accepted, he did not think any harm could follow, for the reason that the operation of the clause would be limited in respect to the particular sub-divisions which the Court might sanction. In the other Amendment there were no limitations, and it would be hopeless to pass it if the present Amendment were rejected.

MR. O'CONNOR POWER said, that, in his speech on the second reading of the Bill he had commented very seriously on the 1st clause, in reference to the restriction of the sale to one person. They had heard a great deal about the necessity of relieving certain districts by distributing the population over other districts. He had pointed out that they had an opportunity, by allowing large farms to be sold to a number of persons, of effecting the very thing they had attempted in vain to bring about by the "Bright's Clauses" in the Act of 1870. He was not so sanguine as the hon. Member for the City of Cork (Mr. Parnell) that they would be able to relieve the congested districts of Ireland under the provisions of the Bill; and, he contended, it would be a great pity to lose the opportunity they now had of breaking up some of the large farms. It was proposed, not that the tenant should have this power absolutely, but that a Court should have the decision of that very difficult question. It seemed to him that the power which they sought to confer on the tenant was analogous, in spirit, to the abolition of the Law of Primogeniture, of which almost every land reformer was in favour; and he thought the sense of the Committee should be tested on the question, either on the Amendment of the hon. Member for Limerick, or that of the hon. Member for the County of Monaghan (Mr. Givan).

MR. WALTER said, that hitherto in the course of these debates he had not said a word; but he now wished to say that, though he had no objection, in principle, to the sub-division of these large farms, he doubted very much whether the tenants should be allowed to bring it about on their own motion. [An hon. MEMBER: No; the Court.] He doubted whether the tenants should be allowed to bring it about, even with the consent of the Court. One of the main features of this legislation, as well as of the legislation of 1870, was that farms of a certain size and rental should be excluded from the operation of these Acts. Well, bearing that in mind, was it right to allow the tenant or the Court to sub-divide the farm, when the immediate effect would be to break up a farm, say, of 300 or 400 acres, which *ex hypothesi* was outside the operation of the Act, into a number of small farms which would come under the operation of the Act? The feeling of most landlords would be rather to be outside than inside the operation of the Act.

Mr. HEALY said, that, instead of attempting to amend the clause, hon. Members should, from first to last, entirely set their faces against it. If the clause was struck out, the Irish tenants would not be a bit the worse off.

Mr. BIGGAR said, the right hon. Gentleman opposite (Mr. Gladstone) had started with a fallacy, because he laid down the principle that the tenant, when he took a holding, took it subject to certain conditions; but the right hon. Gentleman must know that in a great many cases a particular holding had been in possession of a family for one or two generations. Ireland was an agricultural country, and the land should be so apportioned that it could be turned over with the spade, instead of being treated to farming operations on a large scale, which system had failed so miserably in England. In their experience in Ireland, the small farms had been most successful. He had given Notice of an Amendment which went very much further into the question of sub-division than the Amendment of the hon. Member for Limerick, which would have very little practical effect in the parts of Ireland with which he was acquainted. The hon. Member's Amendment might have effect in Meath, Tipperary, and Limerick; but the principle which would allow a farm to continue increasing in size without chance of sub-division was a most objectionable one. One of the great causes of the present agitation in Ireland was the existence of large farms without facilities for sub-division.

Mr. A. MOORE said, that it was a very serious thing to compel the landlord to increase the number of his tenants; but, at the same time, the question was of enormous importance. Emigration was going on to a considerable extent. The Bill afforded facilities for the increase of that emigration, and he really thought it was of great importance in the life of a nation that some steps should be taken to counteract the enormous emigration that was going on.

Mr. O'SULLIVAN said, he was anxious to see the Bill passed without delay, because, though it might not be all they wished for, still there were some very good things in it. However, he felt bound to press the Amendment, as he believed it to be important, so far as the peace of the country was concerned. The Prime Minister had pointed out that new buildings would have to be erected. Well, there was nothing to complain of in that. Then the right hon. Gentleman said the tenants never expected this. In reply to that, he would ask whether the tenants were not now getting many things that they never expected? If this Bill were not carried, they would get much more than they ever expected. Every tenant in Ireland, no matter how small or large his holding, would come under the Bill. He had known cases where tenants had farms of the value of £30—20 or 30 acres in extent—and were able to live as comfortably as other men with 100 acres. He wished to prevent the landlord from selling the tenant's interest; and, as he thought it would be fatal to the interests of Ireland if his Amendment were not passed, the matter was of too great importance to be decided to-night. Hon. Members should think over the matter; and, in order to enable them to do so, he would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*)

Mr. GLADSTONE: I admit the time has come when we ought to think about reporting Progress; but it really seems to me that we ought to dispose of this Amendment first. It must be borne in mind that we do not dismiss the entire subject by disposing of this Amendment, because there is the proposal of the hon. Member for Monaghan (Mr. Givan) to be discussed. He has put his proposal in a different form, and has evidently framed it with greater care, and he has announced that he will bring it forward to-morrow. I hope, therefore, that we shall be able to decide upon the Amendment before us to-night.

Mr. O'SHEA said, the Amendment of the hon. Member for Monaghan (Mr. Givan) would give them all they wanted;

therefore, he trusted that the hon. Member (Mr. O'Sullivan) would withdraw his proposal.

MR. O'SULLIVAN said, that if hon. Members would look at his Amendment, they would see that he did not want to give power to the tenant at all. All that he proposed was that the Court should allow the tenant to sell.

SIR JOSEPH M'KENNA, speaking from the landlords' point of view, would think the Amendment of the hon. Member for Limerick (Mr. O'Sullivan) infinitely less objectionable than that of the hon. Member for Monaghan (Mr. Givan), because, according to the former, the permission to sub-divide would only become operative in cases where the rent was over £100 a-year, and no tenancy would be reduced below £30 a-year. The hon. Member for Monaghan (Mr. Givan), no doubt, was animated by the best intentions; but he proposed to sanction division to any extent the Court might allow. Let them take the decision on the Amendment of the hon. Member for Limerick, which, though it did not so far recommend itself to the Committee would, he ventured to say, have a better chance of support than the other.

MR. PARNELL: I wish to ask you, Mr. Chairman, as a point of Order, whether, if the Amendment of the hon. Member for Limerick is negatived, that of the hon. Member for Monaghan (Mr. Givan) can be moved afterwards?

THE CHAIRMAN: I see nothing in the Amendment of the hon. Member for Monaghan that is not completely in Order.

MR. A. M. SULLIVAN would appeal to the hon. Member (Mr. O'Sullivan) to withdraw his Amendment, as there was not much difference between the two, if the withdrawal of his Amendment would smooth the way to some reasonable understanding. There had been such unanimity on that (the Opposition) side of the House, that he had no doubt his hon. Friend would give way. There had been exhibited that night a feeling on the part of the Irish Representatives which any Cabinet Minister who ever ruled must, in some measure, defer to. He would ask his hon. Friend to withdraw his Amendment, though it seemed to him preferable to the other.

THE O'DONOGHUE did not think the Prime Minister had given any reason worthy of the name against the Amendment of his hon. Friend. Far greater powers than were proposed to be conferred on the Court by the Amendment were already conferred by the Bill.

Motion, by leave, *withdrawn.*

MR. O'SULLIVAN: On condition that the Amendment of the hon. Member for Monaghan (Mr. Givan) will be discussed to-morrow, I will withdraw my Amendment.

Amendment, by leave, *withdrawn.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

## ALKALI, &c. WORKS REGULATION BILL [*Lords.*]—[BILL 119.]

(*Mr. Dodson.*)

COMMITTEE. [*Progress 26th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 16 (Annual Report to Local Government Board).

Amendment proposed,

In line 7, page 41, to leave out "his proceedings," and insert "the proceedings of himself and of the other inspectors under this Act."—(*Mr. Dodson.*)

Question proposed, "That the words 'his proceedings' stand part of the Clause."

MR. BIGGAR said, they had to meet at 2 o'clock to-morrow—within 12 hours from then—and, considering the time the Chairman had already been in the Chair, it was only reasonable that they should report Progress. He was opposed to legislating at that hour of the morning.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

MR. DODSON ventured to hope that the Committee would not accept the proposal of the hon. Member for Cavan. The Bill, as he had said before, was one in which a great deal of interest was felt on both sides of the House. There had been no objection taken to it throughout, except on points of detail; and those points, he thought, could be very rapidly disposed of if the hon. Member would allow them to proceed.

MR. R. POWER said, he would suggest that Progress should be reported at 2 o'clock.

EARL PERCY said, that the Bill had great interest for many English Members, if it had not for Irish ones, and it would be a great convenience to them to proceed with its consideration.

MR. DODSON hoped the Bill might be got through before 2 o'clock; but he should be sorry to pledge himself to the exact moment. He trusted the hon. Member for Cavan would consent to withdraw his Motion.

MR. BIGGAR was disposed to let the Committee proceed; but there was one clause which raised a very important principle—namely, that in respect to joint liability for the acts of a single person. That clause, he thought, could not be taken at that late hour.

Motion, by leave, *withdrawn.*

Question, "That the words 'his proceedings' stand part of the Clause," put, and *negatived.*

Proposed words *substituted.*

MR. DODSON proposed to add, at the end of the preceding Amendment, the words "who shall furnish him with a detailed account of the number of inspections of works in their districts."

Amendment *agreed to;* words *added.*

EARL PERCY proposed the further addition to the right hon. Gentleman's Amendment of the words "and the recorded escapes of acid gases in all such works."

Amendment *agreed to;* words *added.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clauses 17 to 19, inclusive, *agreed to.*

Clause 20 (Recovery of fines for offences against Act in county court).

MAJOR NOLAN proposed, as an Amendment, to omit all reference to Ireland, on the ground that, in many respects, the Bill was not applicable to Ireland, there being no manufactories in many parts of the country.

MR. DODSON said, the Amendment did not properly arise on that clause.

MAJOR NOLAN pointed out that the clause gave power to recover fines in Ireland. Such a stringent Bill was not required for Ireland, although in some parts of England, such as the Black Country, the escape of hydrochloric gas caused much mischief. He moved to omit from line 16 to line 20.

Amendment proposed,

In page 10, to leave out from the word "In," in line 16, to the word "bills" in line 20, both inclusive.—(*Major Nolan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. O'SHEA observed, that no satisfactory answer had been given to the proposal.

MR. DODSON said, the answer was that in the first Alkali Act, which was in force at the present time, it was provided that in Ireland all penalties, except penalties against a special rule, might be recovered in the Civil Court at the instance of the Inspector. The present Bill was a Consolidation Bill, and the clause only provided for the recovery of fines in the same terms as in the Act which had been in force since 1863.

MAJOR NOLAN believed this to be a more severe Bill than the Act of 1863. It was five or six times more severe as to the volume of gas escaping.

MR. HEALY asked if the right hon. Gentleman (Mr. Dodson) would be willing to exclude all towns in Ireland of under 50,000 inhabitants? The proposed regulations would crush all attempts at future manufactures.

MR. DODSON said, the Bill was not intended to apply simply to populous places, for it was intended to protect crops and vegetation. It was introduced originally at the suggestion of residents near works, especially cultivators of land. He doubted how far the suggestion could be carried out; but if the hon. Member would wait for the Report, he would endeavour to ascertain how far that would be possible.

MR. O'SHEA hoped the right hon. Gentleman would listen to the words of wisdom from the hon. Member for Wexford (Mr. Healy), and would see that the Irish Members desired to encourage manufactures in Ireland. The cultivators of land in Ireland had made no complaints of fumes from alkali works, for one reason, because there were no alkali works there; and it would be time enough to restrict when there was something to restrict. There were, unfortunately, large tracts of land in Ireland on which nothing useful grew; and he wished the hon. Member for Swansea, or other great chemical manufacturers and smelters, to be given every encouragement to plant useful works in the midst of them.

MR. ARTHUR ARNOLD wished hon. Members opposite, who said they had spoken words of wisdom, would speak words of mercy. There were places in Lancashire where people died through the fumes from alkali works getting into the water; and he thought hon. Members from Ireland might desire to protect life in that country as well as in England.

DR. COMMINS said, that there were very few alkali works in Ireland; but there were some cement works, and chemical manure works, which were included in the Bill. There were also some small works, such as sulphuric acid works, which he did not think did much harm, but which would be interfered with and crushed by the Bill. Nobody in Ireland asked for or desired the Bill.

MAJOR NOLAN approved of the suggestion of the hon. Member for Wexford (Mr. Healy), and said that if the right hon. Gentleman would insert a clause to that effect he should be content. The Irish Members were quite willing that the hon. Member for Salford (Mr. Arthur Arnold) should have what legislation he liked for Lancashire, if he would let them have what they wished. They had good air in Ireland; they wanted industries, and did not wish to be restricted by legislation, or to have their money wasted on Inspectors. This Bill was one of those unfortunate pieces of legislation in which the Government started from a different point than the Irish Members, and asked them to work up to it. If the right hon. Gentleman would exclude Ireland from the Bill, except two or three large towns, he would withdraw any opposition.

MR. CALLAN hoped the suggestion would be acceded to. They did not want England to protect them; they wanted to get some obnoxious industries into Ireland; and he hoped the wishes of the hon. Member for Salford (Mr. Arthur Arnold) and other English Members would not overweight the wishes of the Irish people.

MR. HIBBERT said, if Ireland was excluded, there would be no legislation for Ireland at all. Ireland was now under the Acts in operation, and he did not see how they could go back from those Acts. The suggestion was not one to which the Government could accede off-hand, and, after all, the works in England were prepared and willing to be placed under the Bill. If they were under the Bill, and Ireland was not, great advantages would be given to Irish manufacturers. The Government were, of course, willing to do all they could to promote the industries of Ireland; but he thought it would be more practical for the hon. and gallant Member for Galway (Major Nolan) and the hon. Member for Wexford (Mr. Healy) to prepare some Amendment on Report, and let his (Mr. Hibbert's) right hon. Friend consider it.

MAJOR NOLAN thought the hon. Gentleman (Mr. Hibbert) had given up their case when he said the proposal would give great advantages to Ireland; but if they got a definite promise from the right hon. Gentleman (Mr. Dodson) that all towns in Ireland of under 50,000 inhabitants should be left out he would withdraw his opposition. If not, he must press his Amendment to a division.

MR. BIGGAR could not see how the proposal could be refused. The manure works in Belfast were very objectionable, and it was desirable that they should be removed; but some inducement must be given to the owners to move them.

MR. DODSON said, he really could not off-hand undertake to give a definite promise. The proposal had been suddenly sprung upon him.

MAJOR NOLAN said, it was made on the first night of considering the Bill.

MR. DODSON replied, that on the first night the hon. and gallant Member raised the question whether Ireland should be excluded, and several Irish Members were strongly of opinion that it should be included. The hon. Member for Dublin (Mr. M. Brooks) certainly was one. No proposal was made for the exclusion of certain parts, and he could not be expected to accede to this proposal on the spur of the moment without having an opportunity of considering it. If the hon. and gallant Member would put an Amendment on the Paper for Report he would give a fair and impartial consideration to it.

Mr. CALLAN said, that, in order to insure due consideration of the matter, he would move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Callan.*)

Mr. DODSON hoped the Committee might be allowed to proceed, and not be asked to suspend Progress on account of this proposal, which was now made for the first time. It was unreasonable to ask those who made the proposal to put it into proper shape to be considered on Report. He hoped the Motion to report Progress would be withdrawn.

Mr. HEALY said, he would admit that, technically speaking, the right hon. Gentleman was right in saying this proposal was new; but it was not new that the Irish Members had certain objections to the Bill, but the Government had done nothing to meet their views, and had tried to push the Bill through as hard as they could. They must bring up their objections when they could, whether they sprung them upon the Government or not; and he hoped this Amendment would bring the Government to see the importance of paying some regard to the wishes of the Irish Members. If the hon. Member for Louth (Mr. Callan) persisted with his Motion he should support him; but if the right hon. Gentleman (Mr. Dodson) would give some definite promise he would suggest to his hon. Friend to withdraw the Motion. Perhaps a conference might take place between the right hon. Gentleman and the hon. and gallant Member (Major Nolan), so that the Bill might then be run through.

Sir R. ASSHETON CROSS said, the clause merely provided for the recovery of the penalties. He suggested that the Amendment should be raised at its proper place, at the end of the 27th clause, and thus allow them to make progress.

Mr. ARTHUR O'CONNOR said, it was evidently necessary, if it was proposed to bring the larger towns in Ireland under the provisions of the Bill, that some such Amendment as was now proposed should be made in the clause. He would like to hear from the right hon. Gentleman (Mr. Dodson) whether he would agree to excuse the rest of Ireland with the exception of Belfast and Dublin and Cork. The only argument he had heard at all against such a proceeding was that which was offered by the right hon. Gentleman himself—namely, that the trade of England would be unfairly handicapped by the advantage which the manufacturers in Ireland would derive from being excluded from the Bill. He had looked through the Bill to see what advantage would arise, and he failed to see in what way Irish manufacturers would gain an advantage. Unless there was a distinct proof between this and Report that the English manufacturers would be unfairly handicapped, it would not be too much to ask the right hon. Gentleman to agree to the limitation to the larger towns of Ireland.

Mr. DODSON suggested that they should be allowed to go through the Bill as it stood, and when they got to the Schedule report Progress. The hon. Gentleman could then still propose his Amendment in Committee. He (Mr. Dodson) could not be expected to give an answer in the matter off-hand; but he was quite ready to give it a fair consideration.

Mr. CALLAN trusted the Committee on the Bill would not be taken again before Monday week.

Mr. DODSON said, he had no objection to put the Committee down for the Monday after the Recess.

Major NOLAN asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to*

Clause 21 (Further provisions as to recovery of fines in county court).

On Motion of Mr. Dillwyn, Amendment made in page 10, line 31, by leaving out "ten," and inserting "twenty-one."

Clause, as amended, *agreed to.*

Clause 22 (Discharge of owner on conviction of actual offender) *agreed to.*

Clause 23 (Service of notices).

On Motion of Mr. Dodson, Amendment made in page 11, line 34, by leaving out from "or" to "owner" in line

37, and inserting "the owner or at his residence or works."

Clause, as amended, *agreed to.*

Clause 24 (Complaint by sanitary authority in cases of nuisance).

On Motion of Mr. DODSON, the following Amendments made:—In page 12, line 17, leave out from "The" to "Act," in line 22, inclusive.

In page 12, at end add—

"The expression 'sanitary authority' in this section includes as regards the Metropolis, except the City of London, any vestry or district board elected under 'The Metropolis Management Act, 1855,' also any Local Board of Health, not being an urban sanitary authority within the meaning of 'The Public Health Act, 1875,' and as regards the City of London shall mean the Commissioners of Sewers of the said city."

Clause, as amended, *agreed to.*

Clause 25 (Actions in case of contributory nuisance).

MR. TENNANT moved, as an Amendment, in page 12, line 36, after "nuisance" to add—

"This clause shall not apply to any defendant who can produce a certificate from the chief inspector that in the works of such defendant the requirements of this Act have been complied with."

MR. DODSON said, he would consent to accept the Amendment, on condition that the words "and were complied with when the nuisance arose" were added.

Amendment to the said proposed Amendment *agreed to.*

Amendment, as amended, *agreed to.*

MR. DILLWYN considered the whole clause was of an objectionable character.

DR. COMMINS said, the clause, as amended, was objectionable, inasmuch as it created a joint liability. In St. Helen's, for instance, there were a great many manufacturers, and it was utterly impossible to determine to what extent any one of them contributed to a nuisance. It might happen that the small and struggling manufacturer allowed the most noxious vapours, and the larger and richer manufacturer be called upon to stand the consequences. As a rule, when a joint liability was established, it happened that it was not the persons who created the nuisance who suffered, but the person who was best able to pay, or the person who was most likely to submit. They ought to leave the persons who were injured to find out the offenders.

MR. DODSON said, the Amendment they had just accepted had struck the ground away from the feet of the hon. and learned Member for Roscommon (Dr. Commins). By the Amendment they had now agreed to, a manufacturer who complied with the requirements of the Act would be in a position to come into Court with a certificate of character and clear himself

Clause, as amended, *agreed to.*

Clause 26 (Interpretation of terms).

On Motion of Mr. DODSON, Amendment made in page 12, line 42, by inserting—

"Noxious or offensive gas does not include sulphurous acid arising from the combustion of coal."

Clause, as amended, *agreed to.*

Clause 27 (Repeal of Alkali Acts).

MAJOR NOLAN moved, as an Amendment, to add at end of Clause—

"In Ireland the penalties in this Act shall only apply in the County or City of Dublin and in towns of over 50,000 inhabitants."

MR. ARTHUR O'CONNOR thought it would be well if the right hon. Gentleman would now consent to report Progress; and he would accordingly make that Motion.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur O'Connor.*)

MR. DODSON said, the proposition was to go through the whole of the Bill except the Schedule. That would leave them still in Committee, and when Committee was again taken the hon. and gallant Gentleman (Major Nolan) could move his Amendment.

Motion, by leave, *withdrawn.*

MAJOR NOLAN asked leave to withdraw his Amendment.

EARL PERCY said, there were many objections to the Amendment just proposed.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 28 (Saving as to general law) *agreed to.*

On Motion of Mr. Dodson, the following Clause *brought up,* and read a first and second time:—

(Prevention from nuisance of alkali waste already deposited.)

"Where alkali waste has been deposited on land, either before or after the commencement of this Act, and complaint is made to the chief inspector, that a nuisance is occasioned thereby, the chief inspector, if satisfied of the existence of the nuisance, and that it is within the power of the owner or occupier of the land to abate it, shall serve a notice on such owner or occupier requiring him to abate the nuisance; and if such owner or occupier shall fail to use the best practicable and reasonably available means for the abatement thereof, he shall be liable to a fine not exceeding twenty pounds; and if he does not proceed to use such means within such time as shall be limited by the Court inflicting such fine, then he shall be liable to a further penalty of five pounds per day from the expiry of the time so limited."

On Question, "That the Clause be added to the Bill."

Mr. SLAGG would be glad if, in the 1st line, the right hon. Gentleman would consent to insert, after the word "land," "or discharged in a water course."

Mr. DODSON said, he had no objection to leave out the words "on land," and insert "or discharged."

Amendment to proposed new Clause *agreed to.*

Question put, and *agreed to.*

Mr. SLAGG, in moving, after Clause 11, to insert the following Clause:—

"In case it shall appear to the inspector that there is an objection on public grounds to the situation of the works proposed to be registered, he shall, before giving his certificate, communicate with the local authority of the place where such works are situate, and such works shall not be registered until two calendar months after such communication shall have been made to the local authority. The local authority to whom such communication is made may, at any time within two calendar months from receiving such communication, lay before the Local Government Board its objections to the registration of such works, and the Local Government Board, after considering such objections and the statement made by the owners of such works, may make an order directing that such works shall not be registered, and the decision of the Local Government Board in such case shall be final,"

said, his object was to make it possible for town councils and other public bodies to provide means for protecting public parks from the injuries occasioned by noxious gases. If his clause was accepted, public bodies would be able to prevent the erection of works in the vicinity of parks.

Mr. DODSON said, the proposed clause went beyond the hon. Member's explanation. The clause read thus—"In case it shall appear to the inspector that there is an objection on public grounds to the situation of the works proposed to be registered, he shall, before giving his certificate, communicate with the local authority of the place where such works are situate, and within two months of such communication the works shall not be registered, and within the same time the Local Government Board may order that such works shall not be registered." But by Section 10, existing works had a right to claim to be registered, upon complying with certain conditions. The new clause, therefore, would give the Local Government Board the authority to abolish existing works.

Mr. SLAGG explained there was a misprint in the clause. It should read—"Works proposed to be erected."

Mr. DODSON suggested that the hon. Member should withdraw the clause now, and, if he wished to do so, bring it up again in an amended form, which, as the Chairman would shortly report Progress, he would have the opportunity of doing in Committee.

Earl PERCY asked, whether the objection could not be obviated by inserting, instead of the words "situation of the works," "erection of the works."

Mr. SLAGG said, that was his meaning; but he would accept the suggestion of the right hon. Gentleman.

Motion, by leave, *withdrawn.*

Mr. SLAGG, in moving the following new Clause:—

"In case any urban or rural authority, or any ten householders, shall make complaint to the Local Government Board of any noxious or offensive discharge into the atmosphere, from works of any kind situate in the district of such authority, or in the township where such householders reside, the Board shall examine such complaint, and, if the same shall appear well founded, may make an order placing any such works under inspection, either for a limited period or permanently; and Part II. of this Act shall apply to such works, as well as to the works specified therein,"

said, it was an elastic clause, embracing other works than those comprehended in the Bill. In "another place" a

Schedule was proposed by Lord Brodrick, including a number of works he wished to have included; but he (Mr. Slagg) thought it desirable to add an elastic clause such as this, in order that obnoxious trades might be comprehended, which would, if the Bill were left in its present state, be left to do their evil work. Lord Brodrick's Schedule was rejected, on the ground that compliance with it must necessitate an enormous increase in the staff of the Local Government Board. To avoid this objection, and at the same time provide the means of redress, this elastic clause was now proposed.

Clause *brought up*, and read a first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. WIGGIN hoped the clause would not be accepted. Every works in the country might be stopped by the hostility of a few persons setting to work together.

MR. DILLWYN said, he had an objection to all such elastic clauses.

EARL PERCY said, there was no question of putting a stop to works. The only proposal was to bring certain works within the 2nd part of the Bill, if it should seem right to do so, by the local authority, and not at the will of some half-a-dozen householders. They would be only brought within that part of the Bill which would prevent the works being a nuisance to the neighbourhood in which they were situated. It was a reasonable clause, and it carried out, to a certain extent, a principle to which the Noxious Vapours Committee attached much importance.

MR. STEVENSON said, to some extent the clause did, as the noble Earl (Earl Percy) said; but it went far beyond the recommendation of the Committee, which was that certain works, not every conceivable kind of works not specified, should be brought under inspection but not at the request of the local authority. The Royal Commission proposed that only a Provisional Order confirmed by Parliament should have this effect. Parliament would be parting with its powers to agree to this.

MR. DODSON said, this was a clause he could not agree to. In the interests of the manufacturer or of the Local Government Board he should not be prepared to assume such power as would be given by the clause to the Board, of placing any class of works under Part II. of the Bill. Moreover, he would point out that notice of this had not been given to the manufacturing interests, and they had not been led to expect any such control. Under the circumstances, he could not agree to the clause.

Question put, and *negatived.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Dodson.*)

MR. DILLWYN asked, would the Bill be reprinted? It was important that it should be, in the interests of large trades which it seriously affected.

MR. DODSON said, the Bill could not be ordered to be reprinted until it had gone through Committee. The Committee would resume on Monday week, and the Bill would be reprinted before the consideration of Report.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Monday* 13th June.

## NEWSPAPERS (LAW OF LIBEL) BILL.

(*Mr. Hutchinson, Mr. Gregory, Mr. Edward Leatham, Mr. Samuel Morley.*)

[BILL 5.] COMMITTEE.

[*Progress 13th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 6 (Penalty for omission to make annual returns).

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, when last in Committee Progress was reported on this clause to allow of Amendments at the suggestion of the hon. Member (Mr. Hutchinson); and he had now to move in page 3, line 9, to leave out the word "ten" and insert "twenty-five."

Amendment *agreed to; words substituted* accordingly.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that steps must be taken that registration should take place, and the order not being complied with, the penalty followed as a matter of course. He moved that in page 3, line

9, after the word "pounds," these words be inserted—

> "And also to be directed by a summary order to make a return within a specified time."

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 7 (Power to party to make return) *agreed to.*

Clause 8 (Penalty for wilful misrepresentation in or omission from return).

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, it had been thought well to increase the penalty in those cases where the Act was evaded by the making of a false Return; and, therefore, he would move in page 3, line 28, to leave out "twenty" and insert "one hundred."

Amendment *agreed to;* words *substituted* accordingly.

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 9 (Registrar to enter returns in register).

MR. HUTCHINSON moved, as an Amendment, in page 3, line 31, to leave out "a book," and insert "books." That, and other Amendments following, were Departmental Amendments, inserted at the instance of the Board of Trade. He accepted them, and, in the absence of the Secretary to the Board, moved them.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he did not quite understand the object. The singular would be taken to include the plural; but the Amendment would mean that every return should be entered in books, and he did not see how that could be carried out. As it was not clear what was the object of these Amendments, they had better be allowed to stand over until Report.

MR. HUTCHINSON said, he was not prepared to defend the Amendments. They were proposed at the instance of the Board of Trade, in accordance with the usual recommendation.

Amendment, by leave, *withdrawn.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 10 (Fees payable for registrar's services).

LORD FREDERICK CAVENDISH moved, as an Amendment, in page 4, line 3, after the words "Board of Trade," to insert "with the approval of the Treasury."

Amendment *agreed to;* words *inserted* accordingly.

LORD FREDERICK CAVENDISH moved, as an Amendment, in page 4, line 8, to leave out "Board of Trade," and insert "Treasury."

Amendment *agreed to;* words *substituted* accordingly.

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Remaining clauses *agreed to,* without Amendment, and *ordered* to stand part of the Bill.

MR. LABOUCHERE, in moving, in page 2, after Clause 3, to insert the following Clause:—

> "A court of summary jurisdiction, upon the hearing of a charge against a proprietor, publisher, or editor, or any person responsible for the publication of a newspaper, for a libel published therein, may receive evidence as to the publication being for the public benefit, and as to the matters charged in the libel being true, and as to the report being fair and accurate, and published without malice, and as to any matter which under this or any other Act, or otherwise, might be given in evidence by way of defence by the person charged on his trial or indictment, and the Court, if of opinion after hearing such evidence that there is a strong or probable presumption that the jury on the trial would acquit the person charged, may dismiss the case,"

said, it was not necessary to speak to the clause. It was assented to by the Government and by the hon. Member for Halifax (Mr. Hutchinson). It was to enable the magistrate to dismiss the case if he liked, or commit it, or deal with it in a summary fashion. He moved the addition of the new clause.

New Clause (Enquiry by court of summary jurisdiction as to libel being for public benefit or being true), *brought up,* read a first and second time, and *added* to the Bill.

MR. LABOUCHERE moved the insertion of the following new Clause:—

> "Every libel or alleged libel, and every offence under this Act, shall be deemed to be an offence within and subject to the provisions of

the Act of the Session of the twenty-second and twenty-third years of the reign of Her present Majesty, chapter seventeen, intituled an Act to prevent vexatious indictments for certain misdemeanours, and when any person is charged with any such offence before any justice or justices, such justice or justices shall take into consideration any evidence adduced before him or them tending to show that the act charged was not committed with a guilty intent."

New Clause (22 and 23 Vic. c. 17, made applicable to this Act), *brought up*, and read a first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must object to the last words of the clause for one reason, because it seemed to define what should or should not come within the Act as misdemeanours. He would accept the clause with the words after "misdemeanours" struck out. It was an error in drafting to insert them.

Question put, and *agreed to.*

Motion made, and Question, "That the Clause be amended by the omission of the words after 'misdemeanours' to end of Clause," put, and *agreed to.*

Clause, as amended, *agreed to*, and *added* to the Bill.

MR. LABOUCHERE, in moving the insertion of the following new Clause:—

"Where, in the opinion of the Board of Trade, inconvenience would arise or be caused, in any case from the registry of the names of all the proprietors of the newspaper (either owing to minority, coverture, absence from the United Kingdom, minute sub-division of shares, or other special circumstances), it shall be lawful for the Board of Trade to authorise the registration of such newspaper in the name or names of some one or more responsible 'representative proprietors,'"

said, it was assented to by the Government and the hon. Gentleman in charge of the Bill (Mr. Hutchinson).

New Clause (Board of Trade may authorize registration of the names of only a portion of the proprietors of a newspaper), *brought up*, and read a first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. WARTON said, he could quite see the propriety of not mentioning all the names in the case of minorities or other good reasons for not doing so; but he thought the words of the clause went a little too far. All the names should be registered when not subject to any disability. But the clause did not seem to say that it would accept all but "one or more;" thus they might have some person writing in a newspaper and some other person named in connection with the matter, while there might be other persons responsible without any disability. He thought that all should be registered, not subject to any disability.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, there were many newspapers, there was one especially, that had a large number of proprietors. One journal had as many as 60 or 70. The clause was intended so that, with the permission of the Board of Trade, where there was a minute sub-division of shares and registration was difficult, because the shareholders were a fluctuating number, then the registration should be of a representative number of these proprietors.

MR. WARTON asked, why were they called representative proprietors? Were they to be chosen by the others?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, it was intended these names should appear on the register as representative proprietors, to show that there were others behind. Without these words it would appear that those mentioned were sole proprietors.

Question put, and *agreed to.*

Clause read a second time, and *added* to the Bill.

On Motion of The ATTORNEY GENERAL (Sir Henry James), the following clauses were *agreed to*, and *added* to the Bill. In page 4, after Clause 11, insert the following Clauses:—

(Recovery of penalties and enforcement of orders.)

"All penalties under this Act may be recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

"Summary orders under this Act may be made by a court of summary jurisdiction and enforced in manner provided by section thirty-four of 'The Summary Jurisdiction Act, 1879;' and, for the purposes of this Act, that section shall be deemed to apply to Ireland in the same manner as if it were re-enacted in this Act."

(Definitions.)

"The expression 'a court of summary jurisdiction' has in England the meanings assigned to it by 'The Summary Jurisdiction Act, 1879;' and in Ireland means any justice or justices of the peace, stipendiary or other magistrate or magistrates, having jurisdiction under the Summary Jurisdiction Acts.

"The expression 'Summary Jurisdiction Acts' has as regards England the meanings assigned to it by 'The Summary Jurisdiction Act, 1879;' and as regards Ireland, means within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, or of the police of that district, and elsewhere in Ireland 'The Petty Sessions (Ireland) Act, 1851,' and any Act amending the same."

Mr. HUTCHINSON moved the insertion of the following Clause:—

"The printers and publishers of any newspaper which belongs to a joint stock company duly incorporated under and subject to the provisions of the Companies' Acts, 1862 to 1880, shall duly return the name of such company as the proprietor of such newspaper; but, save as herein mentioned, the provisions of this Act shall not apply to the case of such newspaper."

The ATTORNEY GENERAL (Sir Henry James) objected to the clause, as amounting to the exclusion of many newspapers from the Act.

Mr. HUTCHINSON said, he had no desire to press the clause.

Clause *negatived.*

Schedules read, and *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday* next.

## *MOTIONS.*

## POOR RELIEF AND AUDIT OF ACCOUNTS (SCOTLAND) BILL.

### LEAVE. FIRST READING.

The LORD ADVOCATE (Mr. J. M'Laren) moved for leave to bring in a Bill relating to the Audit of the Accounts of Parochial Boards and School Boards in Scotland. He said the measure was introduced in accordance with the recommendation of the Select Committee of 1871. He would not at this hour (2 45 A.M.) go into particulars.

Motion *agreed to.*

Bill for the Amendment of the Laws relating to the Relief of the Poor, and for the establishment of an Audit of the Accounts of Parochial Boards and School Boards in Scotland, *ordered* to be brought in The Lord Advocate and Mr. Solicitor General for Scotland.

Bill *presented,* and read the first time. [Bill 182.]

## COURT OF BANKRUPTCY (IRELAND) OFFICERS AND CLERKS' BILL.

### MOTION FOR LEAVE.

The ATTORNEY GENERAL for IRELAND (Mr. Law), in moving for leave to bring in a Bill to amend the Law relating to the Official Staff of the Court of Bankruptcy in Ireland, said, the passing of the Bill was of great importance to the Court. It was to authorize the appointment of a successor to the late Chief Clerk, Mr. Farrell, who had died some time ago, and thus enable the Court to go on with its work. He hoped the Bill would not be opposed.

Mr. O'SHEA: I object to the Motion.

Mr. CALLAN thought it undesirable to introduce the Bill then. There was a Notice of Motion on the Paper to refer the subject to a Select Committee.

Mr. SPEAKER: There having been no Sitting of the House yesterday, the objection of the hon. Member (Mr. O'Shea) prevails.

Motion *put off.*

## SUSPENSION OF EVICTIONS (IRELAND) BILL.

### MOTION FOR LEAVE.

Major NOLAN moved for leave to bring in a Bill to suspend evictions in Ireland until the 1st day of October, 1881, on certain conditions.

Objection being taken to the Motion,

Mr. HEALY: This Bill is in precisely the same position as the other, and, as the objection has not stood, I presume this cannot stand.

Mr. SPEAKER: The objections do stand.

Motion *put off.*

## THE MEMBER FOR DUNGARVAN (EXPLANATION).—RESOLUTION.

Sir WILLIAM HARCOURT said, he rose, in the name of the Prime Minister, to move a Resolution. The circumstances of the suspension of the hon. Member for Dungarvan (Mr. O'Donnell) would be remembered, and the explanation given by that hon. Member afterwards; and in view of that explanation this Resolution had been prepared.

Motion made, and Question proposed,

"That this House, having heard what passed in Committee on the 8th of March, and approving of the action taken by the Chairman of Ways and Means upon the facts then before him, accepts the explanation of the honourable Member for Dungarvan that it was not his desire or intention to disregard the authority of the Chair."—(*Sir William Harcourt.*)

MR. HEALY said, he did not understand the Resolution, and that it would have been well if the right hon. and learned Gentleman had given them some explanation of it. He wished to know whether or not they were to understand that the second suspension of the hon. Member for Dungarvan was withdrawn?

SIR WILLIAM HARCOURT said, he understood the Resolution had been submitted to the hon. Member for Dungarvan, who entirely approved of it.

MR. CALLAN: I suppose this will restore the hon. Member to the life he lost; otherwise he is in a peculiar position, having been suspended twice.

SIR WILLIAM HARCOURT: He can star one.

MR. ARTHUR O'CONNOR said, that, in the first instance, the Chairman had arrived at a decision from the facts before him. Since then—or the Resolution would not have been made—some further facts had been ascertained which materially altered the situation. He would ask the right hon. and learned Gentleman whether he attached any particular importance to the word "then" in the Resolution?

SIR WILLIAM HARCOURT again pointed out that the matter had been settled with the hon. Member for Dungarvan, and that the Resolution had his entire approval. The Government were carrying out their part of the understanding, and if hon. Members opposed the Motion it was not the fault of the Government.

MR. ARTHUR O'CONNOR said, he did not wish to oppose it. He only wanted an explanation.

MR. WARTON pointed out that the real meaning of the hon. Member for Dungarvan (Mr. O'Donnell) was not before the Chairman when he gave his decision. If the explanation had been given at that time, no doubt it would have been acted on.

Question put, and *agreed to.*

### COMMONS REGULATION (SHENFIELD) PROVISIONAL ORDER BILL.

On Motion of Mr. COURTNEY, Bill to confirm the Provisional Order for the regulation of certain lands known as Shenfield Common, situate in the parish of Shenfield, in the county of Essex, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. COURTNEY and Secretary Sir WILLIAM HARCOURT.

### WAYS AND MEANS.

*Considered* in Committee.

(In the Committee.)

*Resolved,* That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1882, the sum of £5,952,300 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow.*

House adjourned at Three o'clock.

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TO

# HANSARD'S PARLIAMENTARY DEBATES,

## VOLUME CCLXI.

## FIFTH VOLUME OF SESSION 1881.

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### Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Moved, That an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to cause a re-consideration of the proposal to efface the present numerical and other distinctions in regiments of the line and militia by the substitution of novel (so-called) "territorial" titles, inasmuch as this proposed substitution is known to be viewed as subversive of *esprit de corps*, and is in consequence most

*Army Organization—Territorial Titles of Regiments*—cont.
distasteful to the officers, non-commissioned officers, and privates generally, whilst it has not the advantage of increasing the Army by a single additional trained or untrained soldier; the proposed re-organization being moreover practically but a fuller development of the present twin (or linked) battalion system which the Report of Lord Airey's Committee has already proved to have been attended with the most disastrous results (*The Earl of Galloway*) *May* 16, 518; after debate, Motion withdrawn

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[*cont.*

*Artizans' and Labourers' Dwellings Improvement*—cont.
any causes which may have prevented the reconstruction of dwellings for the Artizan Class to the full extent contemplated and authorised by these Acts and of recommending such Amendments as may be most expedient for carrying out the full intention of these Acts, and also to consider the working of the Metropolitan Streets Improvement Acts, 1872 and 1877, and of 31 and 32 Vic. c. 130, and 42 and 43 Vic. c. 64" (*Sir R. Assheton Cross*) *May* 9

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*l.* Read 1ª* *May* 9 (No. 83)
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Broadhurst, Mr. H., *Stoke-on-Trent*
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- Infectious Diseases Notification (Ireland), Comm. 1029
- Intoxicating Liquors on Saturday (Ireland), Res. 1019

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*Church of England—Lower House of Convocation*
  Question, Mr. Labouchere; Answer, Sir William Harcourt *May* 23, 1070

**Church Patronage Bill**
(*Mr. Stanhope, Mr. Albert Grey, Mr. Stanley Leighton, Mr. Stuart-Wortley*)
c. Bill withdrawn * *May* 24 [Bill 30]

**Church Patronage (No. 2) Bill**
(*Mr. Stanhope, Mr. Stuart-Wortley, Mr. John Talbot, Mr. Albert Grey, Mr. Stanley Leighton*)
c. Motion for Leave (*Mr. E. Stanhope*) *May* 16, 670; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Tillett*) [House counted out]
  Ordered; read 1° * *May* 19 [Bill 175]

*Civil Service—Promotion and Retirement*
  Question, Mr. Grantham; Answer, Lord Frederick Cavendish *May* 26, 1324

**Clerical Disabilities Act Repeal Bill**
(*Sir Gabriel Goldney, Mr. Thorold Rogers*)
c. Moved, "That the Bill be now read 2°" *May* 11, 230
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Beresford Hope*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 101, N. 110; M. 9 (D. L. 201)
  Words added; main Question, as amended, put, and agreed to; 2R. put off for six months [Bill 11]

Clinton, Lord
  Charitable Trusts Acts Amendment, Comm. *cl.* 2, 1186; *cl.* 3, 1194; *cl.* 4, Amendt. 1198

Close, Mr. M. C., *Armagh Co.*
  Land Law (Ireland), 2R. 877

*Coal Mines Regulation Act—Lilly Dale Colliery (Staffordshire)*
  Question, Mr. Macdonald; Answer, Sir William Harcourt *May* 13, 404

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- Irish Fisheries, 1545
- Land Law (Ireland), 2R. 620; Comm. *cl.* 1, 1897
- Peace Preservation (Ireland) Act, 1881—Gun Licences, 790

**Commins, Dr. A.,** *Roscommon*
- Alkali, &c. Works Regulation, Comm. *cl.* 20, 1969; *cl.* 25, 1973
- Army Estimates—Provisions, &c. 1584
- Land Law (Ireland), Comm. *cl.* 1, Amendt. 1733

**Commons Regulation (Shenfield) Provisional Order Bill**
(*Mr. Courtney, Secretary Sir William Harcourt*)
*c.* Ordered; read 1°* *June* 2

*Contagious Diseases Acts*
- *Case of Elizabeth Burley—Action of the Police,* Questions, Mr. Hopwood; Answers, Sir William Harcourt *May* 10, 178; *May* 13, 400
- *The Magistracy,* Question, Mr. Hopwood; Answer, Sir William Harcourt *May* 26, 1316; Questions, Mr. Hopwood, Mr. Carbutt; Answers, Sir William Harcourt *June* 2, 1875

*Contagious Diseases (Animals) Acts*
- *Importation of Cattle from Ireland,* Question, Mr. Lea; Answer, Mr. Mundella *May* 16, 579
- *Spanish and Portuguese Cattle,* Question, Mr. Arthur Arnold; Answer, Mr. Mundella *May* 23, 1076
- *Diseased Cattle from the United States,* Question, Viscount Folkestone; Answer, Mr. Mundella *June* 2, 1886
- *Foot-and-Mouth Disease—Outbreak at Dukinfield,* Question, Mr. Wilbraham Egerton; Answer, Mr. Mundella *May* 12, 272

*Coolies (Indian) at La Réunion*
- Question, Mr. Errington; Answer, Sir Charles W. Dilke *May* 19, 803

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*Copper and Copper Ore—Return of Exports and Imports,* 1880
- Question, Mr. W. Corbet; Answer, Lord Frederick Cavendish *May* 23, 1052

**Corbet, Mr. W. J.,** *Wicklow Co.*
- Agrarian Crimes (Ireland)—The Returns, 1776
- Copper and Copper Ore—Return of Exports and Imports, 1880, 1052

**Cotton, Mr. W. J. R.,** *London*
- London City (Parochial Charities), 2R. 1301

**Courtney, Mr. L. H. (Under Secretary of State for the Home Department),** *Liskeard*
- City of London (Income and Expenditure)—The Chamberlain's Estimate, 1639
- Lunacy Law Amendment, 2R. 1286
- Newspapers (Law of Libel), Comm. *cl.* 1, 505; *cl.* 3, Amendt. 506, 508

**Court of Bankruptcy (Ireland) (Officers and Clerks) Bill**
*c.* Motion for Leave (*Mr. Attorney General for Ireland*) *June* 2, 1984; after short debate, Motion put off

**Courtown, Earl of**
- Tramways (Ireland) Acts Amendment, Comm. *cl.* 5, 783

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- France and Tunis—The Treaty, 576
- Irish Executive, Motion of Censure, 1238
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- Russia, Foreign Jews in—Expulsion of Mr. L. Lewisohn, a Naturalized British Subject, 806, 825

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- Great North of Scotland Railway, Consid. 1627

**Creyke, Mr. R.,** *York*
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- *Re-publication of the "Freiheit,"* Question, Mr. Bellingham; Answer, Sir William Harcourt *May* 12, 265
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- *Case of Arthur Page Bettingham—Convictions for Betting,* Questions, Sir Wilfrid Lawson; Answers, Sir William Harcourt *May* 31, 1778

**Cropper, Mr. J.,** *Kendal*
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Cross, Right Hon. Sir R. A., *Lancashire, S.W.*
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- Army Estimates—Provisions, &c. 1556
- Customs and Inland Revenue, Comm. *cl.* 13, 1143; *cl.* 14, *ib.*
- General Register House (Scotland)—Re-organization, 794
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*Crown Agents for the Colonies—Memorandum of Sir Penrose Julyan*
- Question, Mr. Anderson; Answer, Mr. Grant Duff *May* 12, 266

*Crown Lands—The Stagsden Estate, Bedfordshire*
- Questions, Mr. J. Howard; Answers, Mr. Gladstone *May* 20, 958; Questions, Mr. Magniac, Mr. J. Howard; Answers, Lord Frederick Cavendish *May* 30, 1640; Questions, Mr. James Howard, Lord Elcho; Answers, Mr. Gladstone *June* 2, 1867; Moved, "That this House do now adjourn" (*Mr. James Howard*); after short debate, Motion withdrawn

Cubitt, Right Hon. G., *Surrey, W.*
- London City (Parochial Charities), 2R. 1300

*Currency—Monetary Conference at Paris—Bi-Metallism*
- Question, Mr. Thorold Rogers; Answer, Mr. Gladstone *May* 10, 172; Questions, Mr. E. Stanhope, Mr. Thorold Rogers; Answers, The Marquess of Hartington *May* 20, 955

Currie, Mr. D., *Perthshire*
- Law and Justice (Scotland)—Law of Entail, 1886

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(*Mr. Playfair, Mr. Chancellor of the Exchequer, Lord Frederick Cavendish*)
- c. *District Registrars* (*Ireland*), Question, Mr. P. Martin; Answer, Lord Frederick Cavendish *May* 13, 407
- Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 23, 1084; Motion agreed to; Committee—R.P.
- Committee; Report *May* 26, 1336 [Bill 136]
- Considered * *May* 27, 1461
- Read 3° * *May* 30
- *l.* Read 1ª (*The Lord Thurlow*) *May* 30 (No. 98)
- Read 2ª*; Committee negatived; read 3ª *May* 31

*Customs Department*
- *Redundant Officers*, Question, Mr. Healy; Answer, Lord Frederick Cavendish *May* 24, 1202
- *Extra Officers*, Question, Sir Trevor Lawrence; Answer, Lord Frederick Cavendish *May* 30, 1645

*Cyprus*
- *Cattle Plague*, Question, Mr. Arthur Arnold; Answer, Mr. Mundella *June* 2, 1878
- *The Harbour of Famagusta—Purchase of the Island*, Questions, Sir William Palliser, Mr. Bourke; Answers, Mr. Gladstone *May* 24, 1212

Dalhousie, Earl of
- Law Relating to the Protection of Young Girls, Motion for a Select Committee, 1603
- Reformatory Education, Res. 1598
- Scotch Business—Local Government and Local Taxation (Scotland), 1768, 1769

Daly, Mr. J., *Cork*
- Free Education (Scotland), 2R. 752
- Ireland—Miscellaneous Questions
  - Evictions, 408;—Ballybunyon, Co. Kerry, 807, 808
  - Peace Preservation Act, 1881—Arrests of Rev. Father Sheehy and Others, 997
  - Protection of Person and Property Act, 1881—Mr. Dillon, 192
- Ireland—Intoxicating Liquors on Saturday, Res. 1011

Davey, Mr. H., *Christchurch*
- Customs and Inland Revenue, Comm. *cl.* 15, 1154
- Land Law (Ireland), Comm. *cl.* 1, 1902

Davies, Mr. D., *Cardigan*
- Customs and Inland Revenue, Comm. *cl.* 15, 1147

Dawson, Mr. C., *Carlow*
- Land Law (Ireland), 2R. 68
- Law and Police—Alleged Outrage at Greenhithe, 1059
- Newspapers (Law of Libel), Comm. *cl.* 3, 510
- Parliament—Business of the House, Res. 709
- Ireland—Miscellaneous Questions
  - Evictions, &c. 1328
  - Peace Preservation Act, 1881—Arrests of Rev. Father Sheehy and Others, 973
  - Protection of Person and Property Act, 1880—Arrest of James Lalor, 414
  - Science and Art—Museum and Library, Dublin, 1327
- Ireland—Intoxicating Liquors on Saturday, Res. 1021
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**Denman, Lord**
- Army (Thanks of Parliament), Motion for a Return, 676
- Army Organization—Militia and Line Battalions, 1773
- Irish Jury Laws, Motion for a Select Committee, 1047; Nomination of, 1613

**De Worms, Baron H.,** *Greenwich*
- Africa (South)—The Transvaal (Negotiations), 1879
- Parliamentary Oath (Mr. Bradlaugh)—Government Officials at Woolwich Arsenal, 1315, 1657
- Post Office—Collection of Assessed Taxes, 1053
- Russia, Foreign Jews in—Expulsion of Mr. L. Lewisohn, a Naturalized British Subject, 563, 564, 803, 804, 805, 826, 962, 1073

**Dickson, Mr. J.,** *Dungannon*
- National Debt—Interest on Consols, 1209

**Digby, Colonel Hon. E. T.,** *Dorsetshire*
- Army—58th Regiment, 1054

**Dilke, Sir C. W. (Under Secretary of State for Foreign Affairs),** *Chelsea, &c.*
- Abyssinia—A Red Sea Port, 806
- Asia, Central—Miscellaneous Questions
  - Afghanistan—Political Affairs, 493
  - French Protectorate of the Upper Niger, 957
  - Lord Dufferin's Despatch, 580
  - Papers, 691
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- Fisheries—East Coast Fisheries—North Sea—Outrages on British Fishermen, 1051
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  - Affairs of, 1207, 1208;—The Papers, 789;—Capitulations, 806;—Convention of 1875, 1326
  - International Engagements, 950, 951, 952
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**Dilke, Mr. A. W.,** *Newcastle-on-Tyne*
- Newspapers (Law of Libel), 2R. 225
- Representation of the People (Election Systems), 1533

**Dillwyn, Mr. L. L.,** *Swansea*
- Alkali, &c. Works Regulation, Comm. *cl.* 21, Amendt. 1972; *cl.* 25, 1973; *add. cl.* 1977, 1978
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**Dixon-Hartland, Mr. F. D.,** *Evesham*
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**Dodds, Mr. J.,** *Stockton*
- Customs and Inland Revenue, Comm. *cl.* 20, 1166; *cl.* 28, 1353; *cl.* 29, 1355; *cl.* 32, Amendt. 1360; *cl.* 33, Amendt. 1361; *cl.* 34, Amendt. 1362; *cl.* 35, Amendt. 1363; *cl.* 38, Amendt. 1365; *cl.* 43, Amendt. 1367; *cl.* 44, Amendt. *ib.*; *cl.* 49, 1369

**Dodson, Right Hon. J. G. (President of the Local Government Board),** *Scarborough*
- Alkali, &c. Works Regulation—Cement Works, 31, 282
- Alkali, &c. Works Regulation, Comm. *cl.* 9, 1412, 1413, 1416; *cl.* 10, Amendt. *ib.*; *cl.* 12, Amendt. 1417, 1418; *cl.* 13, 1419, 1420; *cl.* 15, *ib.*, 1423, 1425; *cl.* 16, 1966; Amendt. 1967; *cl.* 20, *ib.*, 1968, 1970, 1971, 1972; *cl.* 23, Amendt. *ib.*; *cl.* 24, Amendt. 1973; *cl.* 25, Amendt. *ib.*, 1974; *cl.* 26, Amendt. *ib.*; *cl.* 27, *ib.*; *add. cl.* 1975, 1976, 1977; Motion for reporting Progress, 1978
- Artizans' and Labourers' Dwellings Act (1868) Amendment Act, 1879—Section 18—Public Health Act, 1875—Section 90, 15

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Duckham, Mr. T., *Herefordshire*
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Duff, Right Hon. M. E. G. (Under Secretary of State for the Colonies), *Elgin, &c.*
  Africa (South)—Miscellaneous Questions
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  Ways and Means—Inland Revenue—Drawback on Malt Duty, 1781

*Educational Endowments (Scotland) Bill*
  Question, Mr. J. A. Campbell; Answer, Mr. Mundella *June* 2, 1863

*Education Department—Higher Education (Wales)*
  Question, Mr. Hussey Vivian; Answer, Mr. Mundella *May* 23, 1059

*Education, Reformatory*
  Moved to resolve, "1. That it is desirable to consolidate the several laws relating to reformatory and industrial education of children who have been convicted of crime or are, without any competent guardianship, in criminal ways of life
  "2. That punishment for crime should be a treatment separate from general education; and
  "3. That all publicly aided schools should be under the Education Department" (*The Lord Norton*) *May* 30, 1586; after short debate, Motion withdrawn

Egerton, Hon. Wilbraham, *Cheshire, Mid*
  Alkali, &c. Works Regulation, Comm. *cl.* 9, Amendt. 1412, 1414; *cl.* 12, Amendt. 1418
  Contagious Diseases (Animals) Acts—Foot-and-Mouth Disease—Outbreak at Dukinfield, 272
  India—Salt Duty, 400

Elcho, Lord, *Haddingtonshire*
  Crown Lands—The Stagsden Crown Estate, 1868, 1872, 1873
  Land Law (Ireland), Comm. *cl.* 1, 1511, 1910, 1914

**Elementary Education Provisional Order Confirmation (Clay Lane) Bill** [H.L.]
(*The Lord President*)
*l.* Read 2ª* *May* 12 (No. 69)
  Committee*; Report *May* 20
  Read 3ª* *May* 23
*c.* Read 1º* *May* 25 [Bill 181]
  Read 2º* *May* 31

**Elementary Education Provisional Order Confirmation (London) Bill** [H.L.]
(*The Lord President*)
*l.* Read 2ª* *May* 12 (No. 68)

Ellenborough, Lord
  Army Organization—Militia and Line Battalions, 1771, 1772

Elliot, Hon. A. R. D., *Roxburgh*
  Free Education (Scotland), 2R. 753
  Representation of the People (Election Systems), Res. 1529

*Endowed Schools Acts—The Hulme Trust*
  Question, Mr. Arthur Arnold; Answer, Mr. Mundella *May* 23, 1080

*England and Wales—Inclusion of Monmouthshire*
  Question, Mr. Hussey Vivian; Answer, The Attorney General *May* 19, 798

**Erne Lough and River Bill**
(*Mr. John Holms, Lord Frederick Cavendish*)
*c.* Ordered; read 1º* *May* 18 [Bill 171]
  Read 2º*, and referred to a Select Committee *June* 2

**Grantham, Mr. W.**, *Surrey, E.*
- Army (India)—Bengal Staff Corps—Case of Captain Chatterton, 800, 1330
- Civil Service—Promotion, 1324
- Evictions, &c. (Ireland), 1328
- Land Law (Ireland), Comm. 1391

**Granville, Earl** (Secretary of State for Foreign Affairs)
- Africa (South)—Annexation of the Transvaal—Mr. Gladstone's Letter to Mr. Tomkinson, 139
- Army Organization—Militia and Line Battalions, 1772
- Army Organization—Territorial Titles of Regiments, Motion for an Address, 530
- Earl of Beaconsfield, K.G., the late—Address to Her Majesty, 1
- France and Tunis—French Invasion, 253
  - Treaty, 512
- International Law—Right of Asylum for Political Offenders, 786
- Law Relating to the Protection of Young Girls, 1612
- Railways—Administration of Foreign Railways, 1429
- Russia—Persecution of the Jews, 513
- Tunis, Affairs of, 782, 933, 1447
- Turkey and Greece—Convention, 1183

*Great North of Scotland Railway Bill* (*by Order*)
- *c.* Moved, "That the Bill, as amended, be now considered" *May* 30, 1614
- Amendt. to leave out from "That," and add "pending the inquiry into Railway Rates and Charges by the Select Committee of this House, the Consideration of the Bill be postponed" (*Mr. James Howard*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 175, N. 127; M. 48 (D. L. 221)
- Main Question put, and agreed to; Bill considered

**Gregory, Mr. G. B.**, *Sussex, E.*
- Clerical Disabilities Act Repeal, 2R. 289
- Customs and Inland Revenue, Comm. *cl.* 20, 1162, 1167; *cl.* 26, 1350; *cl.* 28, 1351; *cl.* 29, Amendt. 1354, 1356, 1358, 1359; *cl.* 32, 1361; *cl.* 38, Amendt. 1364; *cl.* 39, Amendt. 1365
- Land Law (Ireland), Comm. *cl.* 1, 1702, 1703, 1901
- Newspapers (Law of Libel), 2R. 222

**Grey, Mr. A. H. G.**, *Northumberland, S.*
- Land Law (Ireland), Comm. 1390

**Grosvenor, Right Hon. Lord R.**, *Flintshire*
- Thames River (No. 2), 502

*Ground Game Act,* 1880—*Remission of Fines Illegally Inflicted*
- Question, Mr. P. A. Taylor; Answer, Sir William Harcourt *May* 26, 1327

**Guest, Mr. M. J.**, *Wareham*
- France—Affairs of Tunis, 1207, 1208
- France and Tunis—Miscellaneous Questions
  - Krouhmir Tribes (Military Operations), 18
  - Treaty, Motion for Adjournment, 568, 578, 579
  - Turkish Fleet, 35
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**Hamilton, Lord C. J.**, *Liverpool*
- Evictions (Ireland)—Co. Monaghan, 820

**Hamilton, Right Hon. Lord G. F.**, *Middlesex*
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**Harcourt, Right Hon. Sir W. G. V.** (Secretary of State for the Home Department), *Derby*
- Asia, Central—Afghanistan (Political Affairs), 483, 501
- Church of England—Lower House of Convocation, 1071
- Clerical Disabilities Act Repeal, 2R. 240
- Coal Mines Regulation Act—Lilly Dale Colliery (Staffordshire), 405
- Committees (Ascension Day)—"Count-Out" on Tuesday, 1265
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  - The Magistracy, 1316
- Criminal Law—Miscellaneous Questions
  - Case of Arthur Page Bettingham—Convictions for Betting, 1779
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  - James Thompson, Case of, 1066
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- Great North of Scotland Railway, Consid. 1632
- Ground Game Act, 1880—Remission of Fines Illegally Inflicted, 1327
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- Law and Justice—Assizes, 401
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- Law and Police—Miscellaneous Questions
  - Alleged Outrage at Greenhithe, 1060
  - Alleged Sale of a Wife, 1646
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  - Public Meetings, 1308
- London City (Parochial Charities), 2R. 1298
- Lunacy Law Amendment, 2R. 1290
- Magistracy (England)—Contagious Diseases Acts, 1875, 1876
- Member for Dungarvan (Explanation), Res. 1984, 1985
- Mines, Accidents in—Report of Royal Commission, 266
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- Royal Agricultural Commission—Report and Evidence, 1881
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**HARTINGTON**, Right Hon. Marquess of (Secretary of State for India), *Lancashire, N.E.*
- Agricultural Department (India), 1050
- Army—Grants for Military Services, 1780
- Asia, Central—Afghanistan (Political Affairs), 483
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  - Evacuation of Pishin—Alleged Settlement of the Difficulty with the Bheels, 1666, 1781
- India—Miscellaneous Questions
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  - Protestant Missionaries, 1663
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- Supply—Civil Services and Revenue Departments, 1753, 1758

**HAY**, Admiral Right Hon. Sir J. C. D., *Wigtown, &c.*
- Islands of the South Pacific—Murder of British Subjects, 175, 790
- Land Law (Ireland), 2R. 340
- Solway Fisheries—Geo. IV. c. 45, s. 9—Report of Commissioners, 819

**HEALY**, Mr. T. M., *Wexford*
- Alkali, &c. Works Regulation, Comm. *cl.* 9, 1414; *cl.* 13, 1419; *cl.* 15, 1423; *cl.* 20, 1968, 1971

**HEALY**, Mr. T. M.—*cont.*
- Army Estimates—Provisions, &c. 1558, 1576, 1584
- Customs and Inland Revenue, Comm. *cl.* 20, 1168
- Customs Department — Redundant Officers, 1202
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  - Census—Misapplication of Enumeration Papers, 1648, 1650
  - Land Law and the Landed Estates Court—Conditions in Conveyances of Land under Sale, 1864
  - Landlord and Tenant—Condition of Tenure, 1665
  - Law and Justice—Illegal Sentences—Mr. Traill, R.M., 11
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  - Protection of Person and Property Act, 1881 — Arrests of Boys, 1865; — Arrest of James Lalor, 412;—Kilmainham Gaol—Stoppage of Letters, 1775;—Mr. Dillon, 23, 24, 205;—Newspapers for Political Prisoners, 681;—Political Prisoners, 1306, 1648;—Proclamation of the Queen's County, 689;—Treatment of Prisoners under the Act in Limerick Gaol, 557
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  - Public Business, 1460, 1461
- Petty Sessions Clerks (Ireland), Comm. *cl.* 2, 669; *add. cl.* 1427
- Post Office—Service of Writs—Letter Carriers, 793
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Herschell, Sir F. (*see* Solicitor General, The)

Hibbert, Mr. J. T. (Parliamentary Secretary to the Local Government Board), *Oldham*
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Hicks, Mr. E., *Cambridgeshire*
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**Highways and Locomotives (Amendment) Act, 1878, Bill**
(*Mr. Ashley, Mr. Clifford*)
*c.* Ordered; read 1° * *May* 9 [Bill 155]

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Hollond, Mr. J. R., *Brighton*
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Land Tax Commissioners' Names, Comm. 1170

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**ILLINGWORTH, Mr. A.**, *Bradford*
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**Imprisonment for Debt Abolition Bill**
(*Mr. Bass, Mr. Anderson, Sir Henry Wolff, Mr. Broadhurst*)
*c.* Ordered ; read 1º* *May* 18 [Bill 170]

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**Inclosure Provisional Order (Scotton and Ferry Common) Bill**
(*The Earl of Dalhousie*)
*l.* Read 2ª* *May* 16 (No. 64)
Committee * *May* 19
Report * *May* 20
Read 3ª * *May* 23

**Inclosure Provisional Order (Wibsey Slack and Low Moor Commons) Bill**
(*The Earl of Dalhousie*)
*l.* Read 2ª* *May* 16 (No. 71)
Committee * *May* 19
Report * *May* 20
Read 3ª * *May* 23

**INDERWICK, Mr. F. A.**, *Rye*
Fishing Vessels' Lights—Report of Select Committee, Res. 1837
Newspapers (Law of Libel), 2R. 220 ; Comm. *cl.* 1, Amendt. 503, 504, 505 ; *cl.* 3, 508 ; Amendt. 509, 510
Tithe (Extraordinary Charge), 22 ; 2R. 1277

**INDIA**
MISCELLANEOUS QUESTIONS
*Agricultural Department*, Question, Mr. Baxter ; Answer, The Marquess of Hartington *May* 23, 1050
*Army—Bengal Staff Corps—Case of Captain Chatterton*, Questions, Mr. Grantham ; Answers, The Marquess of Hartington *May* 19, 800 ; *May* 26, 1330
*Gold Mining Companies*, Question, Mr. Onslow ; Answer, The Marquess of Hartington *May* 19, 800
*Grants to General Sir Frederick Roberts and Sir Donald Stewart*, Questions, Mr. Labouchere, Sir H. Drummond Wolff, Mr. R. N. Fowler, Mr. Onslow ; Answers, The Marquess of Hartington *May* 23, 1066 ; Questions, Sir H. Drummond Wolff ; Answers, The Marquess of Hartington *May* 26, 1318 ; *May* 30, 1651
*Protestant Missionaries*, Question, Mr. Whitley ; Answer, The Marquess of Hartington *May* 30, 1663

[*cont.*

INDIA—*cont.*
*Purchase of Stores*, Question, Mr. W. H. Smith ; Answer, The Marquess of Hartington *May* 17, 679
*Railways—Portuguese Territory—Treaty of Lisbon*, Question, Sir George Campbell ; Answer, The Marquess of Hartington *May* 9, 26 ; Question, Mr. R. N. Fowler ; Answer, The Marquess of Hartington *May* 13, 407
*The Bheel Tribes*, Question, Colonel Makins ; Answer, The Marquess of Hartington *May* 31, 1780
*The Indian Criminal Code*, Question, Mr. O'Donnell ; Answer, The Marquess of Hartington *June* 2, 1858
*The Salt Duty*, Question, Mr. Wilbraham Egerton ; Answer, The Marquess of Hartington *May* 13, 400

**Industrial and Reformatory Schools (Ireland) (Loans) Bill**
(*Colonel Colthurst, Mr. Martin, Mr. O'Shaughnessy, Mr. Shaw*)
*c.* Ordered ; read 1º* *May* 18 [Bill 172]

**Infectious Diseases Notification (Ireland) Bill** (*Mr. Edmond Gray, Mr. Brooks, Mr. Dawson*) [Bill 40]
*c.* Order for Committee read ; Moved, " That Mr. Speaker do now leave the Chair " *May* 20, 1029 ; after short debate
[House counted out]

**Inland Revenue Buildings Bill**
(*The Lord Sudeley*)
*l.* Read 2ª * *May* 10 (No. 73)
Committee * ; Report *May* 12
Read 3ª* *May* 13

*International Law*
*Right of Asylum for Political Offenders*, Question, Observations, Lord Lamington ; Reply, Earl Granville *May* 19, 785
*Torpedoes*, Question, Mr. T. C. Thompson ; Answer, Mr. Gladstone *May* 19, 819

*Intoxicating Liquors on Saturday (Ireland)*
Amendt. on Committee of Supply *May* 20, To leave out from " That," and add " in view of the many and serious evils arising from drunkenness on Saturday nights in Ireland, and having regard to the evidence given before the Select Committees of 1868 and 1877, and the recommendation of the Lords Report on Intemperance of 1878, this House is of opinion that the hours during which intoxicating Liquors may be sold on Saturdays in the large cities and towns having a population exceeding 10,000 should be materially and immediately shortened." (*Mr. Meldon*) *v.* ; Question proposed, " That the words, &c. ;" after debate, Question put ; A. 49, N. 33 ; M. 16 (D. L. 207)

**IRELAND**

**MISCELLANEOUS QUESTIONS**

*Agrarian Crimes—The Returns,* Question, Mr. W. J. Corbet; Answer, The Attorney General for Ireland *May* 31, 1776

*Census—Misapplication of Enumeration Papers,* Questions, Mr. Healy, Mr. Callan; Answers, The Attorney General for Ireland *May* 30, 1648

*Conspiracy and Protection of Property (Ireland) Act,* 1875—*P. M'Manus,* Question, Mr. T. P. O'Connor; Answer, The Attorney General for Ireland *June* 2, 1867

*Court of Bankruptcy,* Question, Mr. Findlater; Answer, The Attorney General for Ireland *June* 2, 1861

*Elections,* 1880—*Police Expenses at Londonderry,* Question, Mr. Lewis; Answer, The Attorney General for Ireland *June* 2, 1888

*Inland Navigation and Drainage—The Upper Bann,* Question, Mr. Richardson; Answer, Lord Frederick Cavendish *May* 17, 678

*Irish Fisheries,* Observations, Lord Randolph Churchill; Reply, Lord Frederick Cavendish; short debate thereon *May* 27, 1536

*Landlord and Tenant—Conditions of Tenure,* Question, Mr. Healy; Answer, Mr. Gladstone *May* 30, 1665

*Licensing Law—Publicans' Certificates,* Question, Mr. Biggar; Answer, Lord Frederick Cavendish *May* 26, 1332;—*Antrim Licensing Sessions,* Question, Mr. Biggar; Answer, The Attorney General for Ireland *May* 30, 1650

*Lunatic Asylums—Limerick Asylum—Pauper Lunatics,* Question, Mr. O'Shaughnessy; Answer, Mr. W. E. Forster *May* 16, 547

*Municipal Boundaries Commissioners — The Report,* Question, Mr. Leamy; Answer, The Attorney General for Ireland *June* 2, 1864

*Police Laws—The Dublin District,* Question, Mr. Gill; Answer, The Attorney General for Ireland *June* 2, 1888

*Post Office—Delivery of Letters at Bonnybeg, Co. Limerick,* Question, Major O'Beirne; Answer, Mr. Fawcett *May* 13, 402

*Relief of Distress Act—Loans to Railways,* Question, Mr. P. Martin; Answer, The Attorney General for Ireland *May* 30, 1665

*Tobacco Cultivation,* Question, Sir Eardley Wilmot; Answer, Mr. Gladstone *May* 30, 1656

*Valuation of Rateable Property — Griffith's Valuation,* Observations, The Duke of St. Albans, The Earl of Belmore, The Marquess of Lansdowne, Lord Waveney, Lord Oranmore and Browne; Reply, Lord Carlingford *May* 27, 1429

*Valuation Lists,* Question, Mr. Leamy; Answer, The Attorney General for Ireland *June* 2, 1863

*Veterinary Department—Veterinary Inspector at Longford,* Question, Mr. Litton; Answer, Mr. W. E. Forster *May* 23, 1053

*National Education*

*Teachers of Model Schools,* Question, Mr. Justin M'Carthy; Answer, Lord Frederick Cavendish *May* 12, 266

*Degrees by Theological Colleges,* Question, Mr. Beresford Hope; Answer, Mr. Gladstone *May* 30, 1660

[*cont.*

**IRELAND**—*cont.*

*Poor Law*

*Banbridge Workhouse,* Question, Mr. A. M. Sullivan; Answer, Mr. W. E. Forster *May* 16, 580

*Election of Poor Law Guardians at Belfast,* Question, Mr. Biggar; Answer, Mr. W. E. Forster *May* 23, 1060; Question, Mr. Biggar; Answer, The Attorney General for Ireland *May* 26, 1313

*Law and Justice*

*Alleged Illegal Sentences—Mr. Traill, R.M.,* Question, Mr. Healy; Answer, Mr. W. E Forster *May* 9, 11

*County Court Jurisdiction,* Questions, Mr. Biggar; Answers, The Attorney General for Ireland *May* 16, 562

*High Court of Chancery—Case of "Kavanagh Minors,"* Question, Mr. Redmond; Answer, The Attorney General for Ireland *May* 16, 558

*Criminal Law*

*Committals to County Limerick Gaol,* Question, Mr. Synan; Answer, The Attorney General for Ireland *May* 30, 1642

*The Magistracy*

*Co. Antrim—Appointment of Mr. Black,* Questions, Mr. Lewis, Mr. Givan, Mr. Biggar; Answers, Mr. W. E. Forster; Question, Mr. Callan [no reply] *May* 20, 943

*Stipendiary Magistrates,* Question, Mr. Biggar; Answer, The Attorney General for Ireland *May* 26, 1310; Question, Mr. Meldon; Answer, The Attorney General for Ireland *May* 30, 1636

*Prisons*

*Kilmainham Prison,* Question, Mr. T. P. O'Connor; Answer, The Attorney General for Ireland *June* 2, 1865

*Spike Island Prison,* Question, Sir R. Assheton Cross; Answer, Mr. W. E. Forster *May* 20, 947

*The Governor of Limerick Gaol,* Questions, Mr. T. D. Sullivan, Mr. T. P. O'Connor; Answers, Mr. W. E. Forster *May* 17, 680; Questions, Mr. T. P. O'Connor; Answers, Mr. W. E. Forster *May* 23, 1056

*Royal Irish Constabulary*

*Alleged Misconduct at Ballinamon,* Question, Mr. Sexton; Answer, Mr. W. E. Forster *May* 9, 10

*The Confidential Circular to County Inspectors,* Questions, Mr. Callan, Mr. Parnell, Mr. M'Coan, Sir Stafford Northcote; Answers Mr. W. E. Forster, Mr. Gladstone *May* 23, 1080; Observations, Mr. Callan, Mr. T. P. O'Connor; Reply, Mr. Gladstone *May* 27, 1535;—*Colonel Hillier, the Inspector General,* Questions, Mr. Gill, Mr. Tottenham; Answers, The Attorney General for Ireland *May* 30, 1647

*Sub-Inspectors — Pay, &c.,* Question, Mr. Fay; Answer, Mr. W. E. Forster *May* 10, 171

[*cont.*

IRELAND—*cont.*

*State of Ireland*

*Evictions, &c.*

Question, Mr. Daly; Answer, Mr. W. E. Forster *May* 13, 408; Questions, Mr. Dawson, Mr. T. P. O'Connor, Mr. Grantham; Answers, Mr. Gladstone *May* 26, 1328; Questions, Mr. A. M. Sullivan, Mr. T. P. O'Connor, Mr. Mitchell Henry; Answers, Mr. Gladstone, 1333

*Eviction at Ballybunyon, Co. Kerry*, Questions, Mr. Daly, Mr. Brodrick; Answers, Mr. W. E. Forster *May* 19, 807

*Co. Mayo*, Questions, Mr. Parnell; Answers, Mr. W. E. Forster *May* 23, 1050; Question, Mr. Parnell; Answer, The Attorney General for Ireland *May* 30, 1637

*Co. Monaghan*, Question, Lord Claud Hamilton; Answer, Mr. W. E. Forster *May* 19, 820

*Co. Tipperary*, Questions, Mr. Justin M'Carthy, Mr. T. D. Sullivan; Answers, Mr. W. E. Forster *May* 23, 1051

*The Endowed Schools Commissioners—Notices of Ejectment*, Questions, Mr. Litton, Lord Randolph Churchill; Answers, Mr. W. E. Forster *May* 19, 794

*Religious Processions in Belfast*, Question, Mr. Burt; Answer, Mr. W. E. Forster *May* 10, 175

*Alleged Outrage at Baltinglass*, Questions, Mr. M'Coan; Answers, Mr. W. E. Forster *May* 10, 177; *May* 16, 566

*Alleged Outrage by Soldiers in Dublin*, Question, Mr. O'Kelly; Answer, Mr. Childers *May* 26, 1309

*Intimidation and Outrages*, Question, Observations, Viscount Midleton; Reply, Earl Spencer; short debate thereon *May* 13, 376

*Inflammatory Placards—The Irish Constabulary*, Questions, Mr. Healy, Mr. O'Donnell, Mr. Alderman W. Lawrence; Answers, Mr. W. E. Forster, Mr. Speaker *May* 16, 547;—*Arrest at Mullingar*, Questions, Mr. T. D. Sullivan, Mr. Parnell, Mr. A. M. Sullivan, Mr. H. H. Fowler; Answers, The Attorney General for Ireland *May* 19, 817

*County of Roscommon*, Question, Mr. O'Kelly; Answer, Mr. W. E. Forster *May* 16, 566

*Landlords' Property Defence Association*, Question, Mr. Healy; Answer, Mr. W. E. Forster *May* 17, 678

*Skull Board of Guardians*, Question, Mr. Healy; Answer, Mr. W. E. Forster *May* 19, 792

*Alleged Forced Labour*, Questions, Mr. Burt, Mr. T. P. O'Connor; Answers, Mr. W. E. Forster *May* 10, 174;—"*Slave Driving in Galway*," Question, Mr. Burt; Answer, Mr. W. E. Forster *May* 19, 794; Question, Mr. T. P. O'Connor; Answer, Mr. W. E. Forster *May* 24, 1204

"*Boycotting*," *Co. Antrim—Mr. Noble*, Question, Mr. Lewis; Answer, The Attorney General for Ireland *May* 20, 942

*Sheriff Sales in Kerry*, Question, The O'Donoghue; Answer, The Attorney General for Ireland *May* 20, 945

[*cont.*

IRELAND, State of—*cont.*

*Movement of Troops and Artillery*, Question, Mr. Healy; Answer, Mr. Childers *May* 20, 962

*Armed Resistance in the County of Limerick* (*Quinlan's Castle*), Question, Mr. T. D. Sullivan [no reply] *May* 23, 1083; Question, Viscount Galway; Answer, Mr. W. E. Forster *May* 24, 1211; Question, Mr. T. P. O'Connor; Answer, Mr. Childers *May* 30, 1638; Question, Mr. Tottenham; Answer, The Attorney General for Ireland, 1652

*Proclamation of the County Limerick*, Question, Mr. O'Sullivan; Answer, The Attorney General for Ireland *June* 2, 1887

*Dungarvan Workhouse*, Question, Mr. R. Power; Answer, The Attorney General for Ireland *May* 30, 1664

*The Land League*, Questions, Mr. Chaplin, Mr. Onslow, Mr. T. P. O'Connor, Sir Stafford Northcote, Lord Eustace Cecil, Mr. O'Donnell, Mr. Healy; Answers, Mr. Gladstone, Mr. Childers *June* 2, 1881;—*The Chaplain of Naas Gaol*, Questions, Lord Randolph Churchill; Answers, The Attorney General for Ireland *June* 2, 1874

*Peace Preservation* (*Ireland*) *Act*, 1881

*Licences to Carry Arms*, Questions, Mr. Healy; Answers, The Attorney General for Ireland *May* 12, 267; Question, Colonel Colthurst; Answer, Mr. W. E. Forster *May* 19, 790; Question, Mr. O'Kelly; Answer, Mr. W. E. Forster *May* 23, 1058; Question, Mr. T. P. O'Connor; Answer, The Attorney General for Ireland *June* 2, 1867; Question, Mr. O'Sullivan; Answer, The Attorney General for Ireland, 1881

*Proclamation of Belfast*, Question, Mr. Ewart; Answer, Mr. W. E. Forster *May* 19, 795

*Proclamation of the King's County*, Question, Mr. Molloy; Answer, Mr. W. E. Forster *May* 20, 946

*Proclamation of the Queen's County*, Questions, Mr. Lalor, Mr. R. N. Fowler; Answers, Mr. W. E. Forster, Mr. Speaker *May* 17, 687; Moved, "That this House do now adjourn" (*Mr. Lalor*); Question put; A. 23, N. 317; M. 294 (D. L. 204)

*Tyrone Co.*, Questions, Mr. Macartney, Mr. Litton; Answers, Mr. W. E. Forster *May* 16, 559

*Protection of Person and Property* (*Ireland*) *Act*, 1881

*Arrests under the Act—Case of Mr. Dillon, M.P.*, Questions, Mr. Labouchere, Mr. Sexton, Mr. Healy, Mr. A. M. Sullivan; Answers, Mr. W. E. Forster, Mr. Speaker *May* 9, 23; Question, Mr. Parnell; Answer, Mr. W. E. Forster *May* 10, 183; Moved, "That this House do now adjourn" (*Mr. Parnell*); after long debate, Question put, and agreed to; Questions, Mr. Justin M'Carthy; Answers, Mr. Gladstone *May* 12, 274; Question, Mr. J. Cowen; Observations, Mr. T. P. O'Connor; Question, Mr. Parnell; Answers, Mr. Speaker *May* 17, 692; Question, Mr. Justin M'Carthy; Answer, Mr. Gladstone *May* 19, 815; Question, Mr. Sexton; Answer, Mr. W. E. Forster *May* 20, 963; Questions, Mr. Sexton, Mr.

[*cont.*

IRELAND—*Protection of Person and Property (Ireland) Act*, 1881—cont.
T. P. O'Connor, Sir Joseph M'Kenna; Answers, Mr. W. E. Forster *May* 23, 1077; Question, Mr. Healy; Answer, Mr. W. E. Forster *May* 24, 1211; Questions, Mr. Parnell, Mr. J. Cowen; Answers, Mr. Speaker, Mr. Gladstone; Question, Mr. T. P. O'Connor [no reply] *May* 31, 1783; Questions, Mr. T. P. O'Connor, Mr. Parnell, The O'Donoghue; Answers, Mr. Gladstone *June* 2, 1886
*Arrest of James Lalor*, Questions, Mr. Lalor, Mr. Fitzpatrick; Answers, Mr. W. E. Forster *May* 13, 409; Moved, "That this House do now adjourn" (*Mr. Lalor*); after short debate, Motion withdrawn
*Arrest of —— Clarke at Mullingar*, Question, Mr. T. D. Sullivan; Answer, Mr. W. E. Forster *May* 17, 679
*Arrests of Rev. Father Sheehy and Others*, Question, Mr. O'Sullivan; Answer, Mr. W. E. Forster *May* 20, 963; Moved, "That this House do now adjourn" (*Mr. O'Sullivan*); after long debate, Question put; A. 32, N. 130; M. 98 (D. L. 206)
*Arrest of Mr. Brennan*, Questions, Mr. Sexton, Lord Randolph Churchill; Answers, Mr. W. E. Forster *May* 24, 1210
*Arrest of John Ryan of Murroe*, Question, Mr. O'Sullivan; Answer, The Attorney General for Ireland *May* 31, 1778
*Arrest of Michael Kelly*, Question, Major O'Beirne; Answer, The Attorney General for Ireland *June* 2, 1866
*Arrests under the Act*, Question, Mr. Arthur O'Connor; Answer, Mr. W. E. Forster *May* 24, 1208
*Treatment of Prisoners under the Act in Limerick Gaol*, Question, Mr. Healy; Answer, Mr. W. E. Forster *May* 16, 557
*Newspapers for Political Prisoners*, Question, Mr. Healy; Answer, Mr. W. E. Forster *May* 17, 681
*The Political Prisoners*, Question, Mr. Healy; Answer, The Attorney General for Ireland *May* 26, 1306;—*Mr. Hodnett*, Questions, Mr. T. P. O'Connor; Answers, The Attorney General for Ireland *May* 27, 1454; Questions, Mr. O'Sullivan, Mr. Healy; Answers, The Attorney General for Ireland *May* 30, 1648
*Kilmainham Gaol—Stoppage of Letters*, Question, Mr. Healy; Answer, The Attorney General for Ireland *May* 31, 1775
*Arrests of Boys*, Question, Mr. Healy; Answer, The Attorney General for Ireland *June* 2, 1865

*Ireland—Irish Land Bill*, 1870
Moved, for a print of the Irish Land Bill, 1870, as read a first time in the House of Lords, showing by difference of print or ink, or by both methods, the amendments made in the Bill as returned to the Commons, and what afterwards became of such amendments, *i.e.*, whether agreed to or disagreed to or further amended (*The Earl Cairns*) *May* 12, 263; after short debate, Motion agreed to

*Ireland—Jury Laws*
Moved, "That a Select Committee be appointed to inquire into the operation of the Irish jury laws as regards trial by jury in criminal cases" (*The Marquess of Lansdowne*) *May* 23, 1033; after short debate, on question, agreed to
Order discharged *May* 27
Moved, "That a Select Committee be appointed to inquire into the operation of the Irish Jury Laws" (*The Marquess of Lansdowne*); Motion agreed to
And, on May 30, Committee nominated; List of the Committee, 1450
Observations, Lord Denman *May* 30, 1613

*Ireland—The Irish Executive*
Moved, "That, in the opinion of this House, the action of the Irish Executive in arbitrarily arresting a Member of the House without reasonable ground; in proclaiming a state of siege in Dublin; in imprisoning the Rev. Mr. Sheehy and many other men of high character and good conduct; and in affording the use of the armed forces of the Crown for the wholesale execution of wanton and cruel evictions is an abuse of the exceptional powers conferred by Parliament; and is calculated to promote disaffection in Ireland" (*Mr. Justin M'Carthy*) *May* 23, 1174; Moved, "That the Debate be now adjourned" (*Mr. O'Donnell*); Motion agreed to; Debate adjourned
Debate resumed *May* 24, 1214; after long debate, Moved, "That the Debate be now adjourned" (*Mr. O'Sullivan*); after further short debate, Debate adjourned
Question, Mr. Rylands; Answer, Mr. Justin M'Carthy; Observations, Mr. Gladstone, Mr. T. P. O'Connor *May* 27, 1459

*Italy—Occupation of Tripoli*
Questions, Mr. Arthur Arnold; Answers, Sir Charles W. Dilke *May* 24, 1205; *May* 26, 1323

JACKSON, Mr. W. L., *Leeds*
Criminal Law—Case of James Thompson, 1065

JAMES, Sir H. (*see* ATTORNEY GENERAL, The)

JAMES, Mr. W. H., *Gateshead*
Peru—Massacre of Chinese, 402

*Japan—Introduction of Drugs and Chemicals*
Question, Mr. R. N. Fowler; Answer, Sir Charles W. Dilke *May* 20, 948

JOHNSON, Mr. W. M. (Solicitor General for Ireland), *Mallow*
Infectious Diseases Notification (Ireland), Comm. 1031
Land Law (Ireland), Comm. *cl.* 1, 1708
Newspapers (Law of Libel), Comm. *cl.* 3, 506
Parliament—Business of the House, 280
Potato Crop Committee, 1880 (Ireland), Res. 1846, 1850, 1852

Kennard, Colonel E. H., *Lymington*
Army Organization—New Warrant, 1325

Kennaway, Sir J. H., *Devon, E.*
Fishing Vessels' Lights, Report of Select Committee, Res. 1838
Minister of Agriculture and Commerce, Res. 458
Ways and Means—Inland Revenue—Sale of Liquors in Railway Carriages, 1082

Kensington, Right Hon. Lord (Comptroller of the Household), *Haverfordwest*
Monument to the late Earl of Beaconsfield, K.G.—Her Majesty's Answer to the Address, 437

Kimberley, Earl of (Secretary of State for the Colonies)
Africa (South)—The Transvaal, Annexation of —Mr. Gladstone's Letter to Mr. Tomkinson, 142
The Commission, 782
Army (Thanks of Parliament), Motion for a Return, 676
France and Tunis—Circular of the French Minister of Foreign Affairs, 399
Portugal—The Lorenzo-Marquez Treaty, 1879 —Ratification, 1855

Kinnear, Dr. J., *Donegal*
Land Law (Ireland), 2R. 626

Knightley, Sir R., *Northampton, S.*
Ireland, State of—Inflammatory Placards—The Irish Constabulary, 554

Labouchere, Mr. H., *Northampton*
Asia, Central—Captain Butler's Mission, 545
Bulgaria—Suppression of the Constitution by Prince Alexander, 1653
Church of England—Lower House of Convocation, 1070, 1071
India — Grant to General Sir Frederick Roberts, 1066
Law and Police—Public Meetings, 1308
Monument to the late Earl of Beaconsfield, K.G., Comm. Motion for Adjournment, 48
Newspapers (Law of Libel), 2R. 228; Comm. *add. cl.* 1980, 1981
Parliament—Privilege (Mr. P. Egan), 1684
Parliamentary Oaths (Mr. Bradlaugh), 181, 283, 414, 416; Motion for Adjournment, 417, 437;—Government Officials at Woolwich Arsenal, 1315
Protection of Person and Property (Ireland) Act, 1881—Mr. Dillon, 23
Railway Fares—Racing Meetings, 1642
Small Debts (Limitation of Actions), 2R. 251
Treaty of Berlin—Bulgaria, 1451

Lalor, Mr. R., *Queen's Co.*
Protection of Person and Property (Ireland) Act, 1881—Arrest of James Lalor, 409; Motion for Adjournment, 410
Proclamation of Queen's Co. 687, 688; Motion for Adjournment, 689

Lamington, Lord
International Law—Right of Asylum for Political Offenders, 785
Portugal—The Lorenzo-Marquez Treaty, 1879 —Ratification, 1854

**Land Drainage Provisional Orders Bill**
(*Mr. Courtney, Secretary Sir William Harcourt*)
*c.* Read 1°* *May* 9 [Bill 153]
Read 2°* *May* 17
Report* *May* 27
Read 3°* *May* 30
*l.* Read 1ª* (*Earl Dalhousie*) *May* 31 (No. 104)

*Land Law* (*Ireland*) *Bill*
Question, Mr. Macfarlane; Answer, Mr. Gladstone *May* 9, 35; Question, Mr. Parnell; Answer, Mr. W. E. Forster *May* 16, 585; Question, Sir Stafford Northcote; Answer, Mr. Gladstone *May* 30, 1667
*The Landed Estates Court—Conditions in Conveyances of Land under Sale*, Question, Mr. Healy; Answer, Mr. Gladstone *June* 2, 1864
*Urgency*, Questions, Mr. Thorold Rogers, Mr. Macartney, Mr. Parnell, Colonel Makins, Mr. Macfarlane, Mr. Onslow, Mr. J. Cowen; Answers, Mr. Gladstone, Mr. Speaker *May* 12, 285

**Land Law (Ireland) Bill**
(*Mr. Gladstone, Mr. William Edward Forster, Mr. Bright, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
*c.* Order read, for resuming Adjourned Debate on Amendt. proposed to Question [25th April], "That the Bill be now read 2°;" and which Amendt. was, to leave out from "That," and add "this House, while willing to consider any just measure, founded upon sound principles, that will benefit tenants of land in Ireland, is of opinion that the leading provisions of the Land Law (Ireland) Bill are in the main economically unsound, unjust, and impolitic" (*Lord Elcho*) *v.*; Question again proposed, "That the words, &c.;" Debate resumed *May* 9, 58; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Shaw*); Question put, and agreed to; Debate further adjourned
Debate resumed *May* 12, 288; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Solicitor General for Ireland*); Question put, and agreed to; Debate further adjourned
Debate resumed *May* 16, 585; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Chaplin*); Motion agreed to; Debate further adjourned
Debate resumed *May* 19, 827; after long debate, Question put; A. 352, N. 176; M. 176
Div. List, A. and N. 928
Main Question put, and agreed to; Bill read 2° [Bill 135]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 26, 1369; after debate, Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P. . . . . . . . . . . . . . .

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*Land Law (Ireland) Bill*—cont.
Committee—R.P. *May* 27, 1464
Committee—R.P. *May* 30, 1695
Committee—R.P. *May* 31, 1794
Committee—R.P. *June* 2, 1889

*Land Law (Ireland) [Payment of Indemnity, Advances, Salaries, Expenses, &c.]*
Resolution considered in Committee and agreed to *May* 30, 1761

**Land Tax Commissioners' Names Bill**
(*Mr. John Holms, Lord Frederick Cavendish*)
*c.* Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 23, 1170; Moved, "That the Debate be now adjourned" (*Mr. Healy*); after short debate, Question put; A. 11, N. 80; M. 69 (D. L. 209)
Original Question put; A. 79, N. 1; M. 78 (D. L. 210)
Main Question, "That Mr. Speaker, &c." put, and agreed to; Committee; Report [Bill 126]

**Lansdowne**, Marquess of
Irish Jury Laws, Motion for a Select Committee, 1033
Valuation of Rateable Property (Ireland)—Griffith's Valuation, 1431

**Law**, Right Hon. H. (Attorney General for Ireland), *Londonderry Co.*
Court of Bankruptcy (Ireland)—Officers and Clerks Bill, Motion for Leave, 1984
Ireland—Miscellaneous Questions
Agrarian Crimes—The Returns, 1777
Antrim Licensing Sessions, 1651
Census — Misapplication of Enumeration Papers, 1649
Conspiracy and Protection of Property Act, 1875—P. M'Manus, 1867
Constabulary—Colonel Hillier, the Inspector General, 1647
Court of Bankruptcy, 1861
Criminal Law—Committals to Co. Limerick Gaol, 1642
Elections, 1880—Police Expenses at Londonderry, 1889
Evictions—Mayo, 1637
High Court of Chancery—Case of "Kavanagh Minors," 558
Law and Justice—County Court Jurisdiction, 563
Magistracy — Stipendiary Magistrates, 1310, 1636
Municipal Boundaries Commissioners—The Report, 1864
Peace Preservation Act, 1881 — Arms Licences, 267, 268, 1867, 1881; —Arrests of Rev. Father Sheehy and Others, 1000
Police Laws—Dublin District, 1888
Poor Law—Election of Guardians, Belfast, 1314
Prisons—Kilmainham Prison, 1865
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**Local Courts of Bankruptcy (Ireland) Bill** [H.L.]
*c.* Read 1° * (*Mr. Attorney General for Ireland*) *May* 12
  Moved, "That the Bill be now read 2°" *May* 16, 661; Moved, "That the Debate be now adjourned" (*Mr. Gorst*); after short debate, Motion withdrawn
  Original Question again proposed; Moved, "That the Debate be now adjourned" (*Mr. Patrick Martin*); after short debate, Question put; A. 9, N. 57; M. 48 (D. L. 203)
  Original Question put, and agreed to; Bill read 2° [Bill 164]
  Moved, "That the Bill be committed to a Select Committee;" Question put, and agreed to

**Local Government (Gas) Provisional Order Bill** (*Mr. Hibbert, Mr. Dodson*)
*c.* Read 2° * *May* 9 [Bill 145]
  Report * *May* 20
  Read 3° * *May* 23
*l.* Read 1ª * (*The Marquess of Huntly*) *May* 24
  Read 2ª * *June* 2 (No. 93)

**Local Government (Highways) Provisional Order (York) Bill** (*Marquess of Huntly*)
*l.* Read 2ª * *May* 13 (No. 78)
  Committee *; Report *May* 17
  Read 3ª * *May* 19

**Local Government (Ireland) Provisional Orders (Ballymena, &c.) Bill**
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered ; read 1º * *May* 18 [Bill 173]
Read 2º * *May* 24

**Local Government (Ireland) Provisional Orders (Bandon, &c.) Bill**
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered ; read 1º * *May* 12 [Bill 163]
Read 2º * *May* 18
Report * *May* 27
Read 3º * *May* 30
l. Read 1ª * (*Earl Dalhousie*) *May* 31 (No. 105)

**Local Government Provisional Orders (Acton, &c.) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered ; read 1º * *May* 10 [Bill 159]
Read 2º * *May* 18
Committee discharged * *May* 27

**Local Government Provisional Orders (Askern), &c. Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered ; read 1º * *May* 9 [Bill 152]
Read 2º * *May* 16
Committee discharged * *May* 24

**Local Government Provisional Orders (Bath, &c.) Bill**
(*Marquess of Huntly*)
l. Read 2ª * *May* 13 (No. 77)
Committee * ; Report *May* 17
Read 3ª * *May* 19

**Local Government Provisional Orders (Berwick-upon-Tweed, &c.) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Report * *May* 17 [Bill 138]
Read 3º * *May* 18
l. Read 1ª * (*Marquess of Huntly*) *May* 19
Read 2ª * *May* 27 (No. 85)
Committee * ; Report *May* 31

**Local Government Provisional Orders (Birmingham) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Read 2º * *May* 10 [Bill 144]
Report * *May* 20
Read 3º * *May* 23
l. Read 1ª * (*Marquess of Huntly*) *May* 24
Read 2ª * *June* 2 (No. 94)

**Local Government Provisional Orders (Birmingham, Tame, and Rea, &c.) Bill** (*Mr. Hibbert, Mr. Dodson*)
c. Ordered ; read 1º * *May* 11 [Bill 160]
Read 2º * *May* 24

**Local Government Provisional Orders (Brentford Union, &c.) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Read 2º * *May* 10 [Bill 149]
Report * *May* 20
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l. Read 1ª * (*Marquess of Huntly*) *May* 24
Read 2ª * *June* 2 (No. 95)

**Local Government Provisional Orders (Cottingham, &c.) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered ; read 1º * *May* 12 [Bill 162]
Read 2º * *May* 23

**Local Government Provisional Orders (Halifax, &c.) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered ; read 1º * *May* 10 [Bill 158]
Read 2º * *May* 17
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l. Read 1ª * (*Marquess of Huntly*) *May* 31 (No. 106)

**Local Government Provisional Orders (Horfield, &c.) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Ordered ; read 1º * *May* 13 [Bill 166]
Read 2º * *May* 23

**Local Government Provisional Orders (Poor Law) Bill**
(*Marquess of Huntly*)
l. Read 2ª * *May* 17 (No. 79)
Committee * ; Report *May* 23
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**Local Government Provisional Orders (Poor Law) (No. 2) Bill**
(*Mr. Hibbert, Mr. Dodson*)
c. Report * *May* 17 [Bill 139]
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Committee * ; Report *June* 2

*Local Taxation*
Amendt. on Committee of Supply *May* 23, To leave out from "That," and add "the annual consideration of the measures imposing taxation should be accompanied by a Ministerial Statement of Local Taxation and Finance, so as to afford the House an opportunity of reviewing, as a whole, the requisitions made on the Nation for local as well as Imperial purposes" (*Mr. Pell*) v., 1084 ; Question proposed, "That the words, &c. ;" after short debate, Question put, and agreed to

*London City Lands (Thames Embankment) Bill*
c. Select Committee nominated ; List of the Committee *May* 19, 932

**London City (Parochial Charities) Bill**
(*Mr. Bryce, Mr. Cohen, Mr. Walter James, Mr. Davey*) [Bill 13]
c. Moved, "That the Bill be now read 2°." *May* 25, 1291
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Robert Fowler*); Question proposed, "That 'now,' &c.;" after short debate, Debate adjourned

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**Lord Lieutenants of Counties (Ireland) Bill** (*Mr. Litton, Mr. Findlater, Mr. James Dickson, Mr. Lea*)
c. Ordered; read 1° * *May* 27 [Bill 180]

Lowther, Hon. W., *Westmoreland*
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Lubbock, Sir J., *London University*
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**Lunacy Law Amendment Bill**
(*Mr. Dillwyn, Sir George Balfour, Mr. Benjamin T. Williams*)
c. Read 2°, after short debate *May* 25, 1278 [Bill 56]

Lusk, Sir A., *Finsbury*
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*Metropolitan Bridges and Ferry Roads Bill—East and West India Ferry Roads*
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**Metropolitan Commons Supplemental Bill** (*The Earl of Dalhousie*)
*l.* Read 2ª* *May* 16 (No. 65)
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Amendt. on Committee of Supply *May* 13, To leave out from "That," and add "it is desirable that the functions of the Executive Government which especially relate to Agriculture and Commerce should, as far as possible, be administered by a distinct department, and be presided over by a responsible Minister of the Crown" (*Sir Massey Lopes*) *v.*, 438 ; Question proposed, "That the words, &c. ;" after debate, Question put, and negatived ; words added ; main Question, as amended, put, and agreed to

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Tunis—The Enfida Case, 1652

*National Expenditure*
Moved, "That, in the opinion of this House, the recent increase in the National Expenditure demands the earnest and immediate attention of Her Majesty's Government with the view of effecting such reductions as may be consistent with the efficiency of the Public Service" (*Mr. Henry H. Fowler*) *May* 17, 710 [House counted out]

**Navy**
Miscellaneous Questions
  *Court Martial at Sydney—H.M.S. "Wolverine"—Case of Mr. C. P. Stamp*, Question, Mr. Macdonald; Answer, Mr. Trevelyan *May* 23, 1083
  *Destruction of H.M.S. "Doterel,"* Question, Mr. W. H. Smith; Answer, Mr. Trevelyan *May* 16, 584
  *Royal Naval Engineers*, Question, Mr. Macliver; Answer, Mr. Trevelyan *May* 19, 814
  *The Mediterranean Fleet*, Question, Lord Randolph Churchill; Answer, Mr. Trevelyan *May* 26, 1307
  *The Naval Brigade—Medals for the Frontier War, 1877-8, and the Zulu War*, 1879, Question, Observations, Lord Chelmsford; Reply, The Earl of Northbrook *June* 2, 1856
  *The Troop-Ship "Nemesis,"* Question, Mr. W. B. Beach; Answer, Mr. Trevelyan *May* 9, 24; Questions, Viscount Newport; Answers, Mr. Trevelyan *June* 2, 1876
  *Widows of Seamen and Marines—The Committee*, Question, Observations, Viscount Sidmouth; Reply, The Earl of Northbrook *May* 17, 671

**Newdegate, Mr. C. N.**, *Warwickshire, N.*
Clerical Disabilities Act Repeal, 2R. 244
Land Law (Ireland), Comm. *cl.* 1, 1411
Ordnance Survey—Warwickshire, 1776
Parliament—Arrangement of Public Business, 33
  Privilege (Mr. P. Egan), 1691
Parliamentary Oaths (Mr. Bradlaugh), 282, 285, 420, 426
Parliamentary Oaths (Motion for Bill), 128
Protection of Person and Property (Ireland) Act, 1881—Proclamation of Queen's Co. 688

**Newport, Viscount**, *Shropshire, N.*
Navy—The Troopship "Nemesis," 1876

**Newspapers Bill** (*Mr. Labouchere, Sir Henry Drummond Wolff, Mr. Edward Clarke, Mr. A. M. Sullivan, Mr. Dillwyn*)
*c.* Ordered; read 1°* *May* 9 [Bill 154]
Read 2°* *May* 20
Committee*; Report *May* 25
Considered* *May* 26
Read 3°* *May* 27
*l.* Read 1ª* (*Earl of Dunraven*) *May* 30 (No. 101)

**Newspapers (Law of Libel) Bill**
(*Mr. Hutchinson, Mr. Gregory, Mr. Edward Leatham, Mr. Samuel Morley*)
c. Read 2°, after short debate *May* 11, 218
Committee—R.P. *May* 13, 503 [Bill 5]
Committee; Report *June* 2, 1978

**Noel, Mr. E.**, *Dumfries, &c.*
Solway Fisheries (Scotland), 2R. Bill Withdrawn, 1302

**Nolan, Major J. P.**, *Galway Co.*
Alkali, &c. Works Regulation, Comm. *cl.* 15, Amendt. 1420, 1424, 1425; *cl.* 20, 1967; Amendt. 1968, 1969, 1970, 1972; *cl.* 27, Amendt. 1974
Army—Manufacture of Guns and Projectiles, 800
  Promotion from the Ranks, 560
Army Organization—Compulsory Retirement of Colonels, 561, 799, 954
Army Estimates—Provisions, &c. 1553, 1557
Customs and Inland Revenue, Comm. *cl.* 30, 1359; *cl.* 49, 1368
Irish Fisheries, 1549
Land Law (Ireland), Comm. 1370
Local Courts of Bankruptcy (Ireland), 2R. 661, 662
Minister of Agriculture and Commerce, Res. 472
Petty Sessions Clerks (Ireland), Comm. 668
Potato Crop Committee, 1880 (Ireland), Res. 1841
Suspension of Evictions (Ireland), Motion for Leave, 1984
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**Northbrook, Earl of** (First Lord of the Admiralty)
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Army Organization — Territorial Titles of Regiments, Motion for an Address, 542
Navy—Naval Brigade—Medals for the Frontier War, 1877-8, and the Zulu War, 1879, 1857
  Widows of Seamen and Marines—The Committee, 673

**Northcote, Right Hon. Sir S. H.**, *Devon, N.*
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**Northcote, Right Hon. Sir S. H.**—*cont.*
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  Privilege (Mr. P. Egan), 1681
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Supply—Civil Services and Revenue Departments, 1741

**Northcote, Mr. H. S.**, *Exeter*
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**Norton, Lord**
Reformatory Education, Res. 1586, 1602

**Norwood, Mr. C. M.**, *Kingston-on-Hull*
Fishing Vessels' Lights—Report of Select Committee, Res. 1833, 1835

**O'Beirne, Major F.**, *Leitrim*
Army—Royal Warrant—Officers Promoted from the Ranks, 1055
Land Law (Ireland), Comm. *cl.* 1, 1703
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Protection of Person and Property (Ireland) Act, 1881—Arrest of Michael Kelly, 1866

**O'Brien, Sir P.**, *King's Co.*
Land Law (Ireland), 2R. 925
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**O'Connor, Mr. A.**, *Queen's Co.*
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**O'Connor, Mr. T. P.,** *Galway*
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  Constabulary — Confidential Circular to County Inspectors, 1536
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  Land League, 1882, 1883
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  Privilege (Mr. P. Egan), 1690, 1692, 1693, 1694
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**O'Conor, Mr. D. M.,** *Sligo Co.*
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**O'Donnell, Mr. F. H.,** *Dungarvan*
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**O'Kelly, Mr. J.,** *Roscommon*
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Ireland—State of—Alleged Outrage by Soldiers in Dublin, 1309
  County of Roscommon, 566
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**Onslow, Mr. D. R.,** *Guildford*
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  Grant to General Sir Frederick Roberts, 1070
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**Oranmore and Browne, Lord**
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**O'Shaughnessy, Mr. R.,** *Limerick*
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**O'Shea, Mr. W. H.,** *Clare*
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O'Sullivan, Mr. W. H., *Limerick Co.*
Customs and Inland Revenue, Comm. *cl.* 8, 1133; *cl.* 9, 1138
Ireland, State of — Proclamation of Co. Limerick, 1887
Irish Executive—Motion of Censure, 1246; Motion for Adjournment, 1258
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Otway, Mr. A. J., *Rochester*
Alkali, &c. Works Regulation, Comm. *cl.* 15, 1422
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*Pacific Islands* (*The Kidnapping Act*, 1872)
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*Outrages upon Natives committed under the British Flag*, Question, Mr. Summers; Answer, Mr. Grant Duff *May* 9, 16
*Murders of British Subjects by Natives*, Questions, Sir John Hay; Answers, Mr. Grant Duff *May* 10, 175; *May* 19, 790
*The Solomon Islands—Murders and Outrages by the Natives — Operations of H.M.S. "Emerald,"* Question, Mr. Alexander M'Arthur; Answer, Mr. Trevelyan *May* 30, 1650

Paget, Mr. R. H., *Somersetshire, Mid*
Customs and Inland Revenue, Comm. 1101; *cl.* 13, 1142; *cl.* 15, 1148
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Palliser, Sir W., *Taunton*
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Palmer, Mr. J. H., *Lincoln*
Clerical Disabilities Act Repeal, 2R. 236
Land Law (Ireland), Comm. *cl.* 1, 1488

Parker, Mr. C. S., *Perth*
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**Parliament**
LORDS—
*Parliamentary Printing*, Observations, Question, Lord Monteagle; Answer, Lord Thurlow *May* 19, 783
*Public Business — Rivers Conservancy and Floods Prevention Bill*, Questions, The Duke of Somerset, The Marquess of Salisbury, The Duke of Marlborough; Answers, Earl Spencer *May* 31, 1769

*Private and Provisional Order Confirmation Bills*, Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess
Ordered, That Standing Orders Nos. 72. and 82. be suspended for the remainder of the Session (*The Earl of Redesdale*) *May* 30

COMMONS—
*The Standing Orders of this House*, Question, Mr. Thomasson; Answer, Mr. Gladstone *May* 23, 1060

*Business of the House*
*Arrangement of Public Business*, Questions, Mr. Newdegate, Mr. A. J. Balfour, Lord Randolph Churchill; Answers, Mr. Gladstone *May* 9, 33;—*Parliamentary Oaths Bill*, Questions, Mr. Ritchie, Mr. A. J. Balfour, Mr. Onslow; Answers, Mr. Speaker, Mr. Gladstone *May* 9, 36;—*The Count-out on Tuesday*, Question, Observations, Colonel Alexander; Reply, Mr. Gladstone *May* 12, 276; Moved, "That this House do now adjourn" (*Lord Randolph Churchill*); after short debate, Question put, and negatived;—Observations, Mr. Gladstone *May* 12, 281;—*Land Law (Ireland) Bill*, Question, Mr. M'Coan; Answer, Mr. W. E. Forster *May* 16, 582;—*The Transvaal*, Question, Sir Michael Hicks-Beach; Answer, Mr. Gladstone *May* 16, 583;—*Thames River Bill*, Question, Mr. Ritchie; Answer, Mr. Chamberlain *May* 17, 691;—*Land Law (Ireland) Bill*, Question, Mr. Callan; Answer, Mr. Gladstone *May* 19, 822;—*Parliamentary Oaths Bill*, Question, Mr. Newdegate; Answer, Mr. Gladstone *May* 19, 824;—*The Parliamentary Oath*, Moved, "That this House do now adjourn" (*Sir Wilfrid Lawson*) *May* 20, 936; after short debate, Motion withdrawn;—*Customs and Inland Revenue Bill*, Question, Sir Stafford Northcote; Answer, Mr. Gladstone *May* 24, 1211; — *Rivers Conservancy and Floods Prevention Bill*, Question, Mr. Arthur Peel; Answer, Mr. Dodson *May* 26, 1323; —*The Derby Day*, Questions, Sir Wilfrid Lawson, Mr. R. Power; Answers, Mr. Speaker, Mr. Gladstone *May* 26, 1335; Question, Sir George Campbell; Answer, Mr. Speaker *May* 27, 1460; Moved, "That this House, at its rising, do adjourn until Thursday" (*Mr. Richard Power*) *May* 31, 1783; after short debate, Question put;

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PARLIAMENT—COMMONS—*Business of the House*—cont.
A. 246, N. 119; M. 127 (D. L. 223);—*Supply—Vote on Account*, Question, Mr. Healy; Answer, Mr. Gladstone; short debate thereon *May* 27, 1460;—*The Transvaal*, Question, Mr. Gorst; Answer, Mr. Gladstone *June* 2, 1885;—*Army Re-organization Scheme*, Questions, Colonel Stanley, an hon. Member; Answers, Mr. Childers *June* 2, 1887

*House of Commons (Accommodation)*, Select Committee nominated; List of the Committee *May* 12, 376
*House of Commons Arrangements—Report of Committee of* 1868, Question, Mr. H. H. Fowler; Answer, Mr. Shaw Lefevre *May* 19, 810
*Parliamentary Elections—The Ballot Act—The St. Ives Election*, Questions, Sir Henry Peek; Answers, The Attorney General *May* 23, 1061
*Publication of Parliamentary Papers*, Question, Mr. Thomasson; Answer, Lord Frederick Cavendish *May* 23, 1064
*The Whitsuntide Recess*, Question, Colonel Makins; Answer, Mr. Gladstone *May* 19, 826

*Parliament—Business of the House*
Moved, "That Debate on a Bill shall be confined to the following occasions: Second Reading; Committee; Consideration of Report; Third Reading" (*Mr. Dillwyn*) *May* 17, 695; Moved, "That the Debate be now adjourned" (*Mr. Rylands*); after short debate, Motion withdrawn
Original Motion withdrawn

*Parliament—Committees (Ascension Day)*
Moved, "That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House" (*Mr. Secretary Childers*) *May* 25, 1263; after short debate, Question put; A. 58, N. 41; M. 17 (D. L. 213)

*Parliament — Private Bills (Gas and Water)—New Standing Order*
Moved, "That the municipal or other local authority of any town or district alleging in their Petition that such town or district may be injuriously affected by the provisions of any Bill relating to the lighting or water supply thereof, or the raising of capital for any such purpose, shall be entitled to be heard against such Bill" (*Mr. E. Stanhope*) *May* 10, 156
Amendt. in line 8, after "against," to insert "any matter contained in or proposed to be enacted by" (*Mr. Pemberton*); Question proposed, "That those words be there inserted;" after short debate, Question put; A. 65, N. 311; M. 255 (D. L. 200)
Main Question put, and agreed to
Ordered, That the said Standing Order (Local Authorities to have a locus standi against Gas and Water Bills) be a Standing Order of this House

*Parliament—Privilege (Mr. P. Egan)*
Moved, "That the Letter published in the 'Freeman's Journal' of the 26th May, signed Patrick Egan, is a breach of the Privileges of this House" (*Mr. Mitchell Henry*) *May* 30, 1667; after short debate, Question put, and agreed to

*Parliament—The Member for Dungarvan (Suspension)*
Moved, "That this House, having heard what passed in Committee on the 8th of March, and approving of the action taken by the Chairman of Ways and Means upon the facts then before him, accepts the explanation of the honourable Member for Dungarvan that it was not his desire or intention to disregard the authority of the Chair" (*Sir William Harcourt*) *June* 2, 1984; after short debate, Question put, and agreed to

*Parliamentary Oaths (Mr. Bradlaugh)*
Mr. Bradlaugh having presented himself at the Table claiming to take the Oath required by law, Mr. Speaker, pursuant to the Order of the House, called upon Mr. Bradlaugh to withdraw; who refusing was removed by the Serjeant at Arms below the Bar; after some debate,
Moved, "That the Serjeant at Arms do remove Mr. Bradlaugh from the House, until he shall engage not further to disturb the proceedings of the House" (*Sir Stafford Northcote*) *May* 10, 179; after short debate, Question put, and agreed to
Mr. Speaker acquainted the House that he had received a letter from Mr. Bradlaugh, returned as one of the Members for the Borough of Northampton, relative to the proceedings of the House in his case *May* 11, 217
Question, Sir Wilfrid Lawson; Answer, Mr. Speaker *May* 11, 217; Questions, Mr. Newdegate, Sir Stafford Northcote, Mr. Labouchere, Lord Randolph Churchill, Mr. Warton, Sir H. Drummond Wolff, Mr. Dillwyn; Answers, Mr. Gladstone, Mr. Speaker *May* 12, 282; Question, Sir Wilfrid Lawson; Answer, Mr. Speaker *May* 17, 694; Question, Mr. Arthur O'Connor; Answer, Mr. Gladstone *May* 19, 820
*Interference of Government Officials at Woolwich Arsenal*, Questions, Mr. Labouchere, Baron Henry De Worms; Answers, Mr. Childers *May* 26, 1315; Question, Baron Henry De Worms; Answer, Mr. Childers *May* 30, 1657

*Parliamentary Oath (Mr. Bradlaugh)—Notice of Motion (Sir Wilfrid Lawson)*
Moved, "That this House do now adjourn" (*Mr. Labouchere*) *May* 13, 414; after debate, Motion withdrawn

PARLIAMENT—HOUSE OF LORDS
*Sat First*
*May* 13—The Lord Strathspey (the Earl of Seafield), after the death of his father
*May* 17—The Lord Camoys, after the death of his grandfather

PARLIAMENT—HOUSE OF COMMONS

*New Writ Issued*

*May* 13—*For* Preston, *v.* Edward Hermon, esquire, deceased

*New Members Sworn*

*May* 20—Thomas Collins, esquire, *Knaresborough*

*May* 26—William Farrer Ecroyd, esquire, *Preston*

**Parliamentary Elections and Corrupt Practices (Consolidation) Bill**
(*Mr. Hardcastle, Sir Alexander Gordon*)
*c.* Ordered; read 1° * *May* 25 [Bill 176]

*Parliamentary Oaths* (*Motion for Bill*)

Order read, for resuming Adjourned Debate on Question [6th May], "That the Adjourned Debate on the Question [2nd May], 'That Mr. Speaker do now leave the Chair for Committee on the Parliamentary Oaths (Motion for Bill)' be further Adjourned till Tuesday next, at Two of the clock" (*Lord Frederick Cavendish*); Debate resumed *May* 9, 123; Moved, "That the Debate be now adjourned" (*Sir Walter B. Barttelot*); after short debate, Question put; A. 182, N. 202; M. 20 (D. L. 199)

Main Question again proposed; after short debate, Motion withdrawn; Debate on Question [2nd May], "That Mr. Speaker do now leave the Chair," further adjourned

**Parliamentary Registration Bill**
(*Mr. Boord, Mr. Ashton Dilke, Mr. Grantham*)
*c.* Ordered; read 1° * *May* 12 [Bill 165]

PARNELL, Mr. C. S., *Cork*
- Africa (South)—Swazi Land, 1778
- Constabulary (Ireland)—Circular of Inspector General, 1080
- Evictions (Ireland), Co. Mayo, 1050, 1051, 1637
- Ireland, State of—Inflammatory Placards—The Irish Constabulary, 554, 556, 818
  - Land League, 1884
- Irish Executive—Motion of Censure, 1234, 1255, 1261
- Land Law (Ireland)—Urgency, 286, 585
- Land Law (Ireland), 2R. 347, 350, 883; Comm. 1375, 1378; *cl.* 1, 1959, 1965
- Merchant Shipping Acts—Emigrant Ships, 1660
- Parliament—Privilege (Mr. P. Egan), 1670, 1677, 1687, 1688; Motion for Adjournment, 1690
- Parliamentary Oaths (Mr. Bradlaugh), 179
- Peace Preservation (Ireland) Act, 1881—Arrests of Rev. Father Sheehy and Others, 977, 992
- Protection of Person and Property (Ireland) Act, 1881—Mr. Dillon, Motion for Adjournment, 183, 693, 1078, 1783, 1784, 1887
- Public Services—Vote on Account, 1332
- Supply—Civil Services and Revenue Departments, 1746, 1748; Amendt. 1750, 1758

*Passenger Acts—Emigrant Ships*

Question, Captain Price; Answer, Mr. Chamberlain *May* 17, 685

PATRICK, Mr. R. W. COCHRAN-, *Ayrshire, N.*
- Free Education (Scotland), 2R. 738

PEEK, Sir H. W., *Surrey, Mid.*
- Ballot Act—The St. Ives Election, 1061, 1062

PEEL, Mr. A. W., *Warwick Bo.*
- Parliament—Public Business, 1323

PELL, Mr. A., *Leicestershire, S.*
- Alkali, &c. Works Regulation, Comm. *cl.* 13, 1419
- Customs and Inland Revenue, Comm. Amendt. 1084
- Land Law (Ireland), Comm. *cl.* 1, 1704
- London City (Parochial Charities), 2R. 1300

PEMBERTON, Mr. E. L., *Kent, E.*
- Parliament—New Standing Order, Amendt. 159, 167

PERCY, Right Hon. Earl, *Northumberland, N.*
- Africa (South)—The Transvaal (Political Relations), 32
- Alkali, &c. Works Regulation, Comm. *cl.* 16, Amendt. 1967; *cl.* 27, 1974; *add. cl.* 1970, 1977
- Army Re-organization — Militia Battalions, 1312
  - Militia Officers' Uniforms, 30
- Fishing Vessels' Lights, Report of Select Committee, Res. 1841
- Land Law (Ireland), Comm. *cl.* 1, 1521
- Post Office (Savings Bank Department)—Promotions, 29
- Supply—Civil Services and Revenue Departments, 1742

*Peru—Massacre of Chinese*

Question, Mr. W. H. James; Answer, Sir Charles W. Dilke *May* 13, 402

PETERBOROUGH, Bishop of
- Law Relating to the Protection of Young Girls, Motion for a Select Committee, 1611

**Petty Sessions Clerks (Ireland) Bill**
(*Mr. Litton, Mr. James Richardson*)
*c.* Committee *—R.P. *May* 12 [Bill 41]
Committee—R.P. *May* 16, 667
Committee; Report *May* 26, 1425

**Pier and Harbour Orders Confirmation Bill** (*Mr. Chamberlain, Mr. Evelyn Ashley*)
*c.* Read 2° * *May* 9 [Bill 143]

**Pier and Harbour Orders Confirmation (No. 2) Bill**
(*Mr. Ashley, Mr. Chamberlain*)
c. Ordered ; read 1° * *May* 12 [Bill 161]
Read 2° * *May* 20
Committee discharged * *May* 31

PLAYFAIR, Right Hon. Mr. Lyon (Chairman of Committees of Ways and Means and Deputy Speaker), *Edinburgh and St. Andrew's Universities*
Alkali, &c. Works Regulation, Comm. *cl.* 10, 1416
Army Estimates—Provisions, &c. 1573, 1577, 1579, 1580, 1581
Customs and Inland Revenue, Comm. *cl.* 2, 1117 ; *cl.* 3, 1121, 1123 ; *cl.* 8, 1136 ; *cl.* 16, 1161 ; *cl.* 20, 1169 ; *cl.* 38, 1364
Land Law (Ireland), Comm. *cl.* 1, 1411, 1468, 1469, 1496, 1497, 1499, 1502, 1503, 1506, 1521, 1522, 1523, 1524, 1732, 1733, 1735, 1736, 1801, 1815, 1816, 1912, 1913, 1914, 1919, 1935, 1944, 1965
Monument to the late Earl of Beaconsfield, K.G., Comm. 57
Newspapers (Law of Libel), Comm. *cl.* 6, 511
Parliament—New Standing Order, 168
Supply—Civil Services and Revenue Departments, 1741, 1747, 1750, 1755

PLUNKET, Right Hon. D. R., *Dublin University*
Great North of Scotland Railway, Consid. 1630
Irish Executive, Motion of Censure, 1255, 1257
Land Law (Ireland), 2R. 351 ; Comm. *cl.* 1, 1485, 1486, 1712

*Poor Law (Ireland) Bill—Distress for Rent*
Question, Mr. Blennerhassett ; Answer, Mr. Gladstone *May* 23, 1073

*Poor Law—Pauper Schools (Metropolis)*
Question, Mr. Macfarlane ; Answer, Mr. Dodson *June* 2, 1861

**Poor Relief and Audit of Accounts (Scotland) Bill** (*The Lord Advocate, Mr. Solicitor General for Scotland*)
c. Motion for Leave (*The Lord Advocate*) *June* 2, 1983 ; Motion agreed to ; Bill ordered ; read 1° * [Bill 182]

PORTMAN, Hon. W. H. B., *Dorsetshire*
Great North of Scotland Railway, Consid. 1617

*Portugal—The Lourenco Marquez Treaty, 1879—Ratification*
Questions, Observations, Lord Lamington ; Reply, The Earl of Kimberley *June* 2, 1854

POST OFFICE
MISCELLANEOUS QUESTIONS
*Collection of Assessed Taxes*, Question, Baron Henry De Worms ; Answer, Mr. Fawcett *May* 23, 1053
*Communication with the North of Scotland*, Question, Mr. Cameron ; Answer, Mr. Fawcett *May* 9, 14
*The Mails in Argyllshire and the North of Scotland*, Questions, Mr. Fraser-Mackintosh ; Answers, Mr. Fawcett *May* 23, 1058 ; *May* 26, 1329
*Kidderminster Post Office*, Question, Mr. Brinton ; Answer, Mr. Fawcett *May* 26, 1307
*Memorial of Metropolitan Letter-Carriers*, Question, Mr. Schreiber ; Answer, Mr. Fawcett *May* 30, 1643
*Parcel Post—Collection of Accounts*, Question, Mr. A. Grant ; Answer, Mr. Fawcett *May* 30, 1662
*Post Office (Ireland)—Delivery of Letters at Bonnybeg, Co. Limerick*, Question, Major O'Beirne ; Answer, Mr. Fawcett *May* 13, 402
*Postage of Newspapers Abroad*, Question, Mr. Warton ; Answer, Mr. Fawcett *May* 9, 20
*Postal Orders*, Question, Mr. Fraser-Mackintosh ; Answer, Mr. Fawcett *June* 2, 1877
*Purchase of Christ's Hospital Site*, Questions, Mr. Dixon-Hartland, Sir Henry Selwin-Ibbetson ; Answers, Mr. Fawcett *May* 26, 1331
*Savings Bank Act*, 1880, Question, Mr. Buxton ; Answer, Mr. Fawcett *May* 19, 808
*Savings Bank Department—Employment of Deaf and Dumb Persons*, Question, Mr. C. S. Parker ; Answer, Mr. Fawcett *May* 9, 28 ; —*Promotions*, Question, Earl Percy ; Answer, Mr. Fawcett *May* 9, 29
*Service of Writs—Letter-Carriers*, Question, Mr. Healy ; Answer, Mr. Fawcett *May* 19, 793

*Telegraph Department*
*Telegraph Act*, 1868—*Position of Telegraph Clerks*, Question, Mr. Macliver ; Answer, Mr. Fawcett *May* 13, 405 ; Question, Mr. Macliver ; Answer, The Attorney General *May* 19, 796 ; Questions, Mr. Birkbeck, Mr. Macliver ; Answers, Mr. Fawcett *May* 23, 1056 ; Question, Sir H. Drummond Wolff ; Answer, Mr. Fawcett, 1075 ;—*Opinion of the Attorney General*, Question, Mr. Macliver ; Answer, Mr. Fawcett *May* 26, 1313
*Telegraph Wires (Metropolis)*, Question, Sir Henry Tyler ; Answer, Sir William Harcourt *May* 30, 1661
*Telegraphs in Rural Districts*, Questions, Mr. Round, Mr. Healy ; Answers, Mr. Fawcett *June* 2, 1877

*Potato Crop Committee*, 1880 (*Ireland*)
Moved, "That, in the opinion of this House, it is expedient that Her Majesty's Government should take steps to carry into effect such of the recommendations of the Potato Crop Committee of 1880 as relate to Ireland, by promoting the creation and establishment of new varieties of the Potato ; by facilitating the progress of further experiments as the best means of lessening the spread of the

[*cont.*

*Potato Crop Committee,* 1880 (*Ireland*)—cont.
Potato Disease; and by bringing within the reach of small farmers supplies of sound seed to be obtained for cash payments" (*Major Nolan*) *May* 31, 1841; after short debate, [House counted out]

Power, Mr. J. O'Connor, *Mayo*
Parliament—Privilege (Mr. P. Egan), 1672, 1678, 1681, 1693
Land Law (Ireland), Comm. *cl.* 1, 1962

Power, Mr. R., *Waterford*
Alkali, &c. Works Regulation, Comm. *cl.* 11, 1417; *cl.* 13, 1419; *cl.* 16, 1967
Army Estimates—Provisions, &c. 1581, 1582, 1584
Ireland, State of—Dungarvan Workhouse, 1664
Land Law (Ireland), Comm. 1369, 1370
Local Courts of Bankruptcy (Ireland), 2R. 666
Parliament—Public Business—Derby Day, 1335; Motion for Adjournment, 1785, 1791, 1792
Peace Preservation (Ireland) Act, 1881—Arrests of Rev. Father Sheehy and Others, 986
Petty Sessions Clerks (Ireland), Comm. 668
Protection of Person and Property (Ireland) Act, 1881—Mr. Dillon, 211

Powis, Earl of
Army (Thanks of Parliament), Motion for a Return, 675

Price, Captain G. E., *Devonport*
Army—Aides-de-Camp to the Queen, 1878
Militia Bands, 1879
Passenger Acts—Emigrant Ships, 685

"*Princess Alice*" *Catastrophe, The—Burial Expenses of the Sufferers—Tidal Rivers* (*Interments*) *Bill*
Question, Mr. Montagu Scott; Answer, Sir William Harcourt *May* 20, 957

*Prisons* (*England*) *Act—First-Class Misdemeanants*
Question, Mr. Healy; Answer, Sir William Harcourt *May* 12, 268

*Protection of Person and Property* (*Ireland*) *Act,* 1881—See under *Ireland*

*Protection of Young Girls, Law Relating to the*
Moved, "That a Select Committee be appointed to inquire into the state of the law relative to the protection of young girls from artifices to induce them to lead a corrupt life, and into the means of amending the same" (*The Earl of Dalhousie*) *May* 30, 1603; after short debate, on Question? agreed to
And, on June 14, Committee nominated; List of the Committee, 1613.

*Public Health*
*Cement Manufactures,* Question, Mr. Warton; Answer, Mr. Dodson *May* 16, 567
*Importation of American Hams and Butterine,* Question, Observations, Lord Stanley of Alderley; Reply, The Marquess of Huntly *May* 16, 513
*Small-Pox* (*Metropolis*), Question, Colonel Makins; Answer, Mr. Dodson *May* 9, 25; —*Hospitals,* Question, Mr. W. H. Smith; Answer, Mr. Dodson *May* 12, 275

Pugh, Mr. L. P., *Cardiganshire*
Committees (Ascension Day)—The "Count-Out" on Tuesday, 1267
Crown Lands (Wales), Motion for a Select Committee, 1262

*Railways*
*Administration of Foreign Railways,* Question, Lord Brabourne; Answer, Earl Granville *May* 27, 1428
*Metropolitan District Railway Company,* Question, Mr. Firth; Answer, Mr. Chamberlain *May* 12, 271
*Railway Fares—The Racing Meetings,* Question, Mr. Labouchere; Answer, Mr. Chamberlain *May* 30, 1642

Ramsay, Mr. J., *Falkirk, &c.*
Free Education (Scotland), 2R. 766
Land Law (Ireland), Comm. *cl.* 1, Motion for reporting Progress, 1735; Amendt. 1795, 1813

Ramsden, Sir J. W., *Yorkshire, W. R., E. Div.*
Land Law (Ireland), 2R. 332

Rathbone, Mr. W., *Carnarvonshire*
Customs and Inland Revenue, Comm. 1092
Land Law (Ireland), Comm. 1382
Minister of Agriculture and Commerce, Res. 471
Representation of the People (Election Systems), Res. 1531

Redmond, Mr. J. E., *New Ross*
High Court of Chancery (Ireland)—Case of "Kavanagh Minors," 558
Land Law (Ireland), 2R. 327

**Regulation Provisional Order (Beamsley Moor) Bill**—*afterwards*
**Commons Regulation Provisional Order (Beamsley Moor) Bill**
(*The Earl of Dalhousie*)
*l.* Read 2ª* *May* 16 (No. 62)
Committee* *May* 19
Report* *May* 20
Read 3ª* *May* 23

**Regulation Provisional Order (Langbar Moor) Bill**—*afterwards*
**Commons Regulation Provisional Order (Langbar Moor) Bill**
(*The Earl of Dalhousie*)
*l.* Read 2ª * *May* 16 (No. 63)
Committee * *May* 19
Report * *May* 20
Read 3ª * *May* 23

*Religious Disabilities—Legislation*
Question, Mr. Bellingham; Answer, Mr. Gladstone *May* 12, 274

**Removal Terms (Scotland) Bill**
(*Mr. James Stewart, Dr. Cameron, Mr. Patrick, Mr. Fraser-Mackintosh*)
*c.* Read 2°, after short debate *May* 25, 1270 [Bill 8]

*Representation of the People* (*Election Systems*)
Amendt. on Committee of Supply *May* 27, To leave out from "That," and add "a Select Committee be appointed to inquire into and report upon the system of election of Members of this House best calculated to secure the just and complete representation of the whole electoral body" (*Mr. Blennerhassett*) *v.* 1524; Question proposed, "That the words, &c.;" after short debate, Question put; A. 102, N. 40; M. 62 (D. L. 217)

Richardson, Mr. J. N., *Armagh Co.*
Inland Navigation Drainage (Ireland)—The Upper Bann, 678
Land Law (Ireland), Comm. *cl.* 1, 1961

Richmond and Gordon, Duke of
Tramways (Ireland) Acts Amendment, Comm. *cl.* 5, 783

Ritchie, Captain C. T., *Tower Hamlets*
Customs and Inland Revenue, Comm. *cl.* 7, 1129; *cl.* 8, 1134, 1135
France—New Commercial Treaty—Negotiations, 1311, 1312
France and Tunis—The Treaty, 683
Land Law (Ireland), Comm. *cl.* 1, 1508; Motion for reporting Progress, 1829, 1893
Metropolitan Bridges and Ferry Roads Bill—East and West India Ferry Roads, 1309
Parliament—Business of the House, 36, 691
Parliamentary Oath, 936
Parliamentary Oaths (Motion for Bill), 129

Rodwell, Mr. B. B. H., *Cambridgeshire*
Land Law (Ireland), 2R. 621
Parliament—New Standing Order, 169

Rogers, Mr. J. E. Thorold, *Southwark*
Clerical Disabilities Act Repeal, 2R. 234
Currency—Monetary Conference at Paris—Bi-Metallism, 172, 955
Land Law (Ireland)—Urgency, 285
Land Law (Ireland), Comm. *cl.* 1, 1516

Rogers, Mr. J. E. Thorold—*cont.*
Westminster School—Exchange of Estates—Order, 1318
Westminster School and Christ Church College, Oxford, 807, 960

Rosebery, Earl of
Russia—Persecution of the Jews, 513
Turkey and Greece—The Convention, 1183

Round, Mr. J., *Essex, E.*
Minister of Agriculture and Commerce, Res. 471, 472
Post Office—Telegraphs in Rural Districts, 1877

Russell, Mr. C., *Dundalk*
Land Law (Ireland), Comm. *cl.* 1, 1906, 1939, 1959
Peace Preservation (Ireland) Act, 1881—Arrests of Rev. Father Sheehy and Others, 979

*Russia*—see title *His Imperial Majesty the Emperor of All the Russias*

*Russia*
Miscellaneous Questions
*Persecution of the Jews*, Question, The Earl of Rosebery; Answer, Earl Granville *May* 16, 513
*Expulsion of Mr. L. Lewisohn, a Naturalized British Subject*, Questions, Baron Henry De Worms; Answers, Sir Charles W. Dilke *May* 16, 563; Questions, Baron Henry De Worms, Sir H. Drummond Wolff; Answers, Sir Charles W. Dilke; Question, Mr. J. Cowen [no reply] *May* 19, 803; Questions, Mr. J. Cowen, Lord Randolph Churchill, Mr. O'Donnell, Baron Henry De Worms; Answers, Sir Charles W. Dilke, 825; Notice of Question, Baron Henry De Worms; Answer, Sir Charles W. Dilke *May* 20, 962; Questions, Baron Henry De Worms, Sir H. Drummond Wolff; Answers, Sir Charles W. Dilke *May* 23, 1073
*Inquiry by Special Agent*, Question, Mr. O'Donnell; Answer, Sir Charles W. Dilke *May* 26, 1312
[See title *Central Asia*]

Rylands, Mr. P., *Burnley*
Africa (South)—Natal—Sir Owen Lanyon, 264
Army—Competitive Examinations, 544
Customs and Inland Revenue, Comm. *cl.* 20, 1341; *cl.* 29, 1357
Irish Executive, 1459
Parliament—Business of the House, Motion for Adjournment, 699

St. Albans, Duke of
Valuation of Rateable Property (Ireland)—Griffith's Valuation, 1429

St. Aubyn, Sir J., *Cornwall, W.*
Fishing Vessels' Lights, Report of Select Committee, Res. 1839

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**Salisbury, Marquess of**
Army (Thanks of Parliament), Motion for a Return, 675
Charitable Trusts Acts Amendment, 2R. 260; Comm. *cl.* 2, 1188; *cl.* 3, Amendt. 1190, 1194; *cl.* 4, Amendt. 1196, 1198; *cl.* 7, 1199
Earl of Beaconsfield, K.G., The late—Address to Her Majesty, 6
Parliament—Public Business, 1769
Stolen Goods, 2R. 257
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**Samuelson, Mr. B., *Banbury***
Parliamentary Oath, 939

**Samuelson, Mr. H. B., *Frome***
Parliament—Privilege (Mr. P. Egan), 1679

**Schreiber, Mr. C., *Poole***
Post Office—Memorial of Metropolitan Letter-Carriers, 1643

***Science and Art***
Miscellaneous Questions
*Museum and Library, Dublin,* Questions, Mr. Dawson, Mr. A. M. Sullivan; Answers, Mr. Mundella *May* 26, 1327
*Natural History Museum, South Kensington,* Question, Mr. Firth: Answer, Mr. Spencer Walpole *May* 24, 1203
*The British Museum—Loan of Objects of Art for Temporary Exhibitions,* Question, Mr. Magniac; Answer, Mr. Spencer Walpole *June* 2, 1862
*The National Gallery—The Proposed Extension,* Question, Mr. Coope; Answer, Lord Frederick Cavendish *May* 13, 406

**Sclater-Booth, Right Hon. G., *Hants, N.***
Alkali, &c. Works Regulation, Comm. *cl.* 9, 1416; *cl.* 12, 1418; *cl.* 13, 1419; *cl.* 15, 1422
Customs and Inland Revenue, Comm. 1099; *cl.* 20, 1343
Great North of Scotland Railway, Consid. 1623
Supply—Civil Services and Revenue Departments, 1746
Vaccination Act—Vaccine Lymph, 792

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*Crime—Alleged Outrage at Braehead, Dunfermline,* Question, Mr. Sexton; Answer, The Lord Advocate *May* 9, 12;—*The Glenluce Murder,* Question, Sir Herbert Maxwell; Answer, The Lord Advocate *May* 13, 403
*Criminal Law—Case of Mr. Fraser,* Question, Mr. Cameron; Answer, The Lord Advocate *May* 9, 13
*General Register House — Re-organization,* Question, Sir R. Assheton Cross; Answer, Lord Frederick Cavendish *May* 19, 794
*Law and Justice—The Law of Entail,* Question, Mr. Donald Currie; Answer, The Lord Advocate *June* 2, 1886

Scotland—*cont.*
*Scotch Business—Local Government and Local Taxation,* Observations, The Earl of Minto, The Duke of Argyll, The Earl of Camperdowne; Reply, The Earl of Dalhousie *May* 31, 1765
*Solway Fisheries—Geo. IV. c. 45, s. 9—Report of the Commissioners—Legislation,* Question, Sir John Hay; Answer, Sir William Harcourt *May* 19, 819

**Scott, Lord H. J. M. D., *Hants, S.***
"Princess Alice" Catastrophe—Burial Expenses of the Sufferers—Tidal Rivers Interments Bill, 957
Trade and Commerce—Hawick and Galashiels, 812

**Selwin-Ibbetson, Sir H. J., *Essex, W.***
Post Office—Purchase of Christ's Hospital Site, 1332

**Settled Land Bill** [h.l.]
(*Sir R. Assheton Cross*)
*c.* Order for 2R. read *May* 13, 512 [Bill 95]
[House counted out]

**Sexton, Mr. T., *Sligo***
Crime (Scotland)—Alleged Outrage at Braehead, Dunfermline, 12
Ireland—Miscellaneous Questions
  Peace Preservation Act, 1881—Arrests of Rev. Father Sheehy and Others, 981, 1210
  Protection of Person and Property Act, 1881—Mr. Dillon, 23, 963, 1077, 1078
  Royal Irish Constabulary—Alleged Misconduct at Ballinamon, 10
Ireland — Intoxicating Liquors on Saturday, Res. 1027
Land Tax Commissioners' Names, Comm. 1170

**Shaftesbury, Earl of**
Law Relating to the Protection of Young Girls, Motion for a Select Committee, 1609
Reformatory Education, Res. 1602

**Shaw, Mr. W., *Cork Co.***
Land Law (Ireland), 2R. Motion for Adjournment, 123, 288; Comm. *cl.* 1, 1719, 1807, 1931, 1941, 1959

**Sidmouth, Viscount**
Navy—Widows of Seamen and Marines—The Committee, 671, 675
Reformatory Education, Res. 1602

**Slagg, Mr. J., *Manchester***
Alkali, &c. Works Regulation, Comm. *add. cl.* Amendt. 1975, 1976
Customs and Inland Revenue, Comm. 1106
France — Commercial Treaty — New French General Tariff, 37
Minister of Agriculture and Commerce, Res. 456

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**Small Debts (Limitation of Actions) Bill**
(*Lord Randolph Churchill, Mr. Arthur Balfour, Sir Henry Wolff, Mr. Gorst*)
*c.* Moved, "That the Bill be now read 2°" *May* 11, 246
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Marriott*); Question proposed, "That 'now,' &c.;" after short debate, Question put, and agreed to
Order for 2R. discharged; Bill withdrawn [Bill 78]

SMITH, Right Hon. W. H., *Westminster*
France — New French General Tariff — The Cobden Treaty, 270
Land Law (Ireland), 2R. 300; Comm. *cl.* 1, 1410
Metropolitan District Asylum Boards, 1071
Navy—Destruction of H.M.S. "Doterel," 584
Public Health—Small-Pox (Metropolis) Hospitals, 275
Purchase of Stores (India), 679
Thames River (No. 2), 502
Vaccination Act—Vaccine Lymph, 791

SMITH, Mr. T. E., *Tynemouth, &c.*
Merchant Shipping, 2R. Amendt. 132, 134

SOLICITOR GENERAL, The (Sir FARRER HERSCHELL), *Durham*
Customs and Inland Revenue, Comm. *cl.* 13, 1143; *cl.* 29, 1355, 1358
Land Law (Ireland), Comm. *cl.* 1, 1486, 1726
Law of Libel—The Boston Election, 271
Newspapers (Law of Libel), Comm. *cl.* 3, 510

**Solicitors' Remuneration Bill** [H.L.]
*c.* Read 2° * *May* 19 [Bill 100]

**Solway Fisheries (Scotland) Bill**
(*Mr. Ernest Noel, Mr. J. Maxwell-Heron, Mr. Anderson*)
*c.* Order for 2R. discharged; Bill withdrawn *May* 25, 1302 [Bill 141]

SOMERSET, Duke of
Parliament—Public Business, 1769

SPEAKER, The (Right Hon. H. B. W. BRAND), *Cambridgeshire*
Church Patronage (No. 2), Motion for Leave, 670
Constabulary (Ireland)—Circular of Inspector General, 1082
Court of Bankruptcy (Ireland) (Officers and Clerks), Motion for Leave, 1984
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Crown Lands—The Stagsden Crown Estate, 959, 1870, 1872, 1873
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India—Grant to General Sir Frederick Roberts, 1070
Intoxicating Liquors on Saturday (Ireland), Res. 1028

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Ireland, State of—Inflammatory Placards—The Irish Constabulary, 549, 554
Slave Driving in Galway, 1205
Irish Executive, Motion of Censure, 1238, 1250, 1253, 1257
Land Law (Ireland)—Urgency, 288
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Lunacy Law Amendment, 2R. 1290
Newspapers (Law of Libel), Comm. 503
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  Business of the House, 36, 278
  Derby Day, 1335, 1460, 1789
  Privilege (Mr. P. Egan), 1667, 1668, 1670, 1679, 1684, 1686, 1687, 1688, 1689, 1690, 1691, 1693, 1694
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Parliamentary Oaths (Motion for Bill), 124, 129
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Potato Crop Committee, 1880 (Ireland), Res. 1845, 1846, 1847, 1850, 1852
Protection of Person and Property (Ireland) Act, 1881—Miscellaneous Questions
  Arrest of Mr. Lalor, 410, 413
  Mr. Dillon, 23, 205, 694, 1784
  Proclamation of Queen's Co. 688, 689
Suspension of Evictions (Ireland), Motion for Leave, 1984
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SPENCER, Earl (Lord President of the Council)
Charitable Trusts Acts Amendment, Comm. *cl.* 4, 1197
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STANHOPE, Hon. E., *Lincolnshire, Mid.*
Asia (Central)—Afghanistan (Political Affairs), 488
Church Patronage (No. 2), Motion for Leave, 670, 671
Currency—Monetary Conference at Paris—Bi-Metallism, 955
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India—Afghanistan—Evacuation of Pishin—Alleged Settlement of the Difficulty with the Bheels, 1666
Land Law (Ireland), Comm. *cl.* 1, 1409
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Stanley, Right Hon. Colonel F. A., *Lancashire, N.*
Army Estimates—Provisions, &c. 1551, 1555, 1557, 1563, 1575, 1578
Land Law (Ireland), 2R. 633, 647; Comm. *cl.* 1, 1503
Parliament—Public Business, 1887
Sale and Exportation of Arms and Ammunition—Sale of "Old Stores," 1305

Stanley, Hon. E. L., *Oldham*
Free Education (Scotland), 2R. 768, 771
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Stanley of Alderley, Lord
Africa (South)—Annexation of the Transvaal—Mr. Gladstone's Letter to Mr. Tomkinson, 155
France and Tunis—Circular of the French Minister of Foreign Affairs, 398
Ireland, State of—Intimidation and Outrages, 381
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Tunis, Affairs of, 1446

Stansfeld, Right Hon. J., *Halifax*
Land Law (Ireland), 2R. 860, 861; Comm. *cl.* 1, 1954

*Stationery Office, H.M.—Report of the Controller*
Question, Mr. Buxton; Answer, Lord Frederick Cavendish *May* 26, 1315
Select Committee appointed, such Committee to consist of five Lords, "to consider the First Report of the Controller of Her Majesty's Stationery Office" (*The Lord Thurlow*) *May* 31
And, on June 2, Committee nominated; List of the Committee, 1774

Stevenson, Mr. J. C., *South Shields*
Alkali, &c. Works Regulation, Comm. *cl.* 10, Amendt. 1417; *cl.* 11, Amendt. *ib.*; *cl.* 13, 1419; *cl.* 15, 1424; *add. cl.* 1977

Stewart, Mr. J., *Greenock*
Removal Terms (Scotland), 2R. 1270, 1277

**Stolen Goods Bill** [H.L.]
(*The Lord Chancellor*)
*l.* Read 2ª, after debate *May* 12, 253 (No. 60)
Committee *; Report *May* 19 (No. 86)
Referred to a Select Committee * *May* 31

Storer, Mr. G., *Nottinghamshire, S.*
Customs and Inland Revenue, Comm. *cl.* 4, 1126, 1127; *cl.* 15, 1145, 1150, 1151; Amendt. 1153, 1155; *cl.* 16, 1158
Land Law (Ireland), 2R. 927
Minister of Agriculture and Commerce, Res. 470

Strathnairn, Lord
Army Organization—Militia and Line Battalions, 1771

*Sugar Industries Committee,* 1880—*The Report*
Question, Mr. Macliver; Answer, Lord Frederick Cavendish *May* 24, 1209

Sullivan, Mr. A. M., *Meath*
Alkali, &c. Works Regulation, Comm. *cl.* 9, 1413
Artizans' and Labourers' Dwellings Acts—Alleged Removal of Families, 35
Ireland—Miscellaneous Questions
  Evictions, &c. 1333
  Poor Law—Banbridge Workhouse, 580
  Prisons—Governor of Limerick Prison, 680
  Protection of Person and Property Act, 1881—Arrest of —— Clarke at Mullingar, 679, 680;—Mr. Dillon, 24;—Proclamation of Queen's Co. 690
  Science and Art—Museum and Library, Dublin, 1327
Ireland, State of—Inflammatory Placards—The Irish Constabulary, 553, 818
Ireland—Intoxicating Liquors on Saturday, Res. 1017, 1028
Land Law (Ireland), 2R. 362; Comm. *cl.* 1, 1492, 1521, 1938, 1947, 1956, 1958, 1965
Parliament—Privilege (Mr. P. Egan), 1667, 1680, 1687, 1695
  Public Business—Derby Day, 1335
Parliamentary Oath (Mr. Bradlaugh), 419
Supply—Civil Services and Revenue Departments, 1751

Sullivan, Mr. T. D., *Westmeath*
Army Estimates—Provisions, &c. 1572, 1579, 1583
Clerical Disabilities Act Repeal, 2R. 242
Ireland—Miscellaneous Questions
  Evictions, Co. Tipperary, 1052
  Irish Fisheries, 1549
  Peace Preservation Act, 1881—Arrests of Rev. Father Sheehy and Others, 984
  Protection of Person and Property Act, 1881—Mr. Dillon, 213
Ireland, State of—Disturbances in Co. Limerick, 1083
  Illegal Placard—Arrest at Mullingar, 817, 818
Land Law (Ireland), Comm. *cl.* 1, 1721, 1820
Law and Police—Alleged Sale of a Wife, 1646
Local Courts of Bankruptcy (Ireland), 2R. 667

**Summary Jurisdiction (Ireland) Bill**
(*Mr. Litton, Mr. Errington, Mr. Broadhurst*)
*c.* Adjourned Debate on Question [6th April], "That the Bill be now read 2º," resumed *May* 11, 252; Debate further adjourned

**Summary Jurisdiction (Process) Bill**
(*Mr. Marjoribanks, Colonel Home, Sir Matthew Ridley, Mr. Arthur Elliot*)
*c.* Ordered; read 1º * *May* 26 [Bill 179]

**Summary Procedure (Scotland) Act Amendment Bill** [H.L.]
(*The Earl of Dalhousie*)
*l.* Presented; read 1ª * *May* 30 (No. 99)

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Considered in Committee *May* 27, 1550—Army Estimates
Resolution reported, and, after short debate, agreed to *May* 30, 1759
Considered in Committee *May* 30, 1737—Civil Services and Revenue Departments—Further Vote on Account
Resolution reported *May* 31

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*c.* Motion for Leave (*Major Nolan*) *June* 2, 1984; after short debate, Motion put off

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*c.* 2R. deferred *May* 13, 502 [Bill 148]

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(*Baron Henry De Worms, Sir Sydney Waterlow, Mr. Boord, Mr. Ritchie*)
*c.* Ordered; read 1º * *May* 9 [Bill 156]

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(*Mr. Inderwick, Mr. Howard, Sir Edmund Filmer, Mr. Duckham, Mr. Arthur Vivian, Mr. Thorold Rogers*)
*c.* Question, Mr. J. G. Talbot; Answer, Mr. Inderwick *May* 9, 22
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**Tramways (Ireland) Acts Amendment Bill** (*Lord Monteagle*)
*l.* Read 2ª * *May* 17 (No. 74)
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*c.* Ordered; read 1° * *May* 13 [Bill 167]
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**Tramways Orders Confirmation (No. 2) Bill** (*Mr. Ashley, Mr. Chamberlain*)
*c.* Ordered; read 1° * *May* 13 [Bill 168]
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ERRATA.

Page 845, line 20 from bottom, *for* "2 to 6," *read* "2 to 1."
Page 860, lines 16 and 17 from top, omit the words "and I wrote it."

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